**		AF	RTICLE II, NON-SUBURBAN DISTRICT REGULATIONS				
2 3	DIVISION A: RURAL DISTRICTS  Section 2-100 AR-1 Agricultural Rural-1						
4							
5	2-101	Purpo	se and Intent. The purpose and intent of the AR-1 district is to:				
6 7 8 9		(A)	Support the primary use of land for rural economy uses, with residential uses allowed secondarily in a form and context that is at densities consistent with the general open and rural character of the rural economy uses.				
0 1 2 3 4 5		(B)	Allow for a broad range of rural economy uses, including traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and other low impact non rural—uses that can be developed in ways that are consistent with the rural character of the AR-1 district rural economy uses through mitigation or other standards.				
6 7 8 9		(C)	Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to traditional and new agricultural uses, conference and training center uses, and rural activity and special event uses for tourists related to the traditional and new agricultural uses.				
21 22 23 24 25 26		(D)	Promote Ensure consistency between that residential development and is consistent with the open character of the rural economy uses through lower by requiring either very low density residential development or the clustering of residential development in ways that are harmonious with rural economy uses and that preserve the general rural character of the district.				
27 28 29 30		(E)	Ensure that development is designed and located in ways that are consistent with conservation design principles and protects and maintains primary conservation areas and secondary conservation areas in ways that are consistent with the development of rural economy uses and the general rural character of the district.				
32 33		(F)	Ensure that the rural economy uses are compatible with any existing permitted residential development.				
34 35	2-102		<b>Regulations.</b> Table 2-102 summarizes the principal use regulations of the district.				
36 37	Section	(A) n 2-100	<b>Organization of Use Table.</b> Table 2-102 organizes the uses in the AR-1 district by Use Classifications, Use Categories and Use Types.  July 18, 2006				

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1 2 3 4 5 6 7 8 9		(1) Use Classifications. The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and industrial uses. The Use Classifications assign land uses into broad general classifications (e.g., agricultural uses and residential uses). The Use Classifications then organize land uses and activities into general "Use Categories" and specific "Use Types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.
11 12 13 14 15 16 17		Use Categories. The Use Categories describe the major subgroups of the Use Classification, based on common characteristics (e.g., the residential Use Classification is divided into two major Use Categories: Household Living and Group Living). Principal uses are identified in defining the Use Category. They are principal uses that most closely share the common characteristics that are key to the Use Category.
18 19 20 21 22 23 24		Use Types. The Use Categories are divided into specific Use Types. The specific Use Types are included in the respective Use Category. They identify the specific uses that are considered to fall within characteristics identified in the Use Category. For example, single family detached dwellings, multi-family dwellings and town houses are Use Types in the Household Living Use Category.
25 26	(B)	<b>Use Categories and Use Types Defined.</b> All Use Categories and Use Types listed in Table 2-102 are defined in Article VIII (Definitions).
27 28 29 30 31 32 33 34 35 36 37	(C)	Permitted and Special Exception Uses. A "P" in the column identified "AR-1" indicates that a Use Category or specific Use Type is permitted as a matter of right (as a permitted use) in the AR-1 district, subject to compliance with applicable standards and regulations in this Ordinance and other County ordinances. An "S" indicates that a Use Type is allowed in the AR-1 district as a special exception in accordance with the procedures and standards of Section 6-1300. An "M" indicates that a Use Type is allowed in the AR-1 district as a minor special exception in accordance with the procedures and standards of Section 6-1300. In some instances, and based on the Additional Regulations for Specific Uses (Section 5-600), a Use Type will be permitted as a matter of right under

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39

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"P/S" or "P/M," as appropriate.

certain conditions or allowed as a special exception or minor special

exception under other conditions. In those instances, it is identified as

1	(D)	Reference to General Use Category. References to "General Use
2		Category" under the Use Type column, means all of the uses in the Use
3		Category are allowed. The Use Category is defined in Article VIII. Where
4		specific Use Types are listed in the Use Type column, only the listed Use
5		Types in the Use Category are allowed. The Use Types are defined in
6		Article VIII.
7	(E)	Additional Regulations for Specific Uses. References to sections in the
8		final column of Table 2-102 (AR-1 District Use Table) indicate that the
9		listed use is subject to use-specific regulations. The numbers provide a
10		cross-reference to the "Additional Regulations for Specific Uses" in
11		Section 5-600.
12	(F)	Minimum Lot Size Requirements. Each principal permitted use shall
13		meet the minimum acreage requirement, where specified in the
14		"Additional Regulations for Specific Uses" in Section 5-600, for that use.
15		Where two or more principal uses are located on one parcel, the parcel
16		size shall be the larger of the two or more uses requirements, and not the
17		sum of all the minimum lot sizes.

TABLE 2-102:  AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE  P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION						
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES			
AGRICULTURAL US	SES					
Agriculture	General Use Category	P	Section 5-626			
Horticulture	General Use Category	Р	Section 5-626			
Animal Husbandry	General Use Category	P	Section 5-626			
Agriculture Support and Services Directly	Agricultural processing	P	Section 5-627			
Related to On-going Agriculture,	Agri-education	P	Section 5-627			
Horticulture and Animal Husbandry	Animal care business	P	Section 5-627			
Activity, On-Site	Agritainment	P	Section 5-627			
	Commercial winery with 20,000 square feet or less	Р	Section 5-625			
	Commercial winery, over 20,000 square feet	S	Section 5-625			
	Custom operators	P	Section 5-627			

### TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P - PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES		
,	Direct market business for sale of products produced on-site – including but not limited to PYO (pick-your-own)	P	Section 5-627		
	Equestrian facilities	P	Section 5-627		
	Farm based tourism	P	Section 5-628		
	Farm co-ops	P	Section 5-627		
	Farm machinery repair	P	Section 5-627		
	Farm markets	P	Section 5-603		
	Feedlot (for on-going, on-site animal husbandry activities)	Р	Section 5-627		
	Nursery, commercial	S	Section 5-605		
	Nursery, production	P	Section 5-605		
	Pet farms	P	Section 5-627		
	Restaurant	P	Section 5-627		
	Sawmill	S	Section 5-629		
	Stables	P	Section 5-627		
	Veterinary services	P			
	Virginia Farm Winery	P			
	Wayside stand	P	Section 5-604		
	Wetlands mitigation bank	Р	Section 5-627		
Agriculture Support and Services Not	Agricultural research facility	Р	Section 5-644		
Directly Associated with On-Site	Animal care businesses	P	Section 5-630		
Agricultural Activity	Central farm distribution hub for agricultural products	Р	Section 5-630		

#### **TABLE 2-102:** AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION ADDITIONAL REGULATIONS FOR AR-1 USE TYPE USE CATEGORY SPECIFIC USES DISTRICT Commercial winery with P Section 5-625 20,000 square feet or less Commercial winery, over Section 5-625 S 20,000 square feet Section 5-630 P Equestrian facility Equestrian facility, on lots of less than 50 acres or without Section 5-630 M frontage on state maintained road P Section 5-630 Farm machinery repair Farm machinery sales, rental Section 5-615 P and service Mill feed and farm supply P Section 5-630 center Section 5-605 S Nursery, commercial Stable, neighborhood, on lots of 25 acres or more, or Ρ Section 5-630 frontage on state maintained road Stable, neighborhood, on lots of less than 25 acres or Section 5-630 M without frontage on state maintained road Section 5-630 P Stable, private P Section 5-631 Animal hospital $\underline{S}$ $\underline{M}$ Section 5-606 Kennel **Animal Services** Section 5-606 M₽ Kennel, Indoor RESIDENTIAL USES Accessory dwelling (accessory Section 5-613 P to single family detached Household Living dwelling) Caretaker's residence (accessory to single family ₽

detached dwelling)

P = 1	AR-1 AGRICULTUR. PERMITTED S = SPECIAL EX	TABLE 2-102 AL RURAL-1 I CEPTION M=	: DISTRICT USE TABLE MINOR SPECIAL EXCEPTION	
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES	
	Dwelling, single-family detached, including manufactured housing	P	May use AR District Cluster Option. See Sections 2 104 and 5 703. May divide property in accordance with Section 2-103 Development Options.	
	Guest house (accessory to single family detached dwelling)	Р	Section 5 612	
	Home occupation (accessory to single family detached dwelling)	P	Section 5-400	
	Portable Dwelling/Trailer Construction	P		
	Co-housing	P		
	Convent or monastery	P/S	Section 5-656	
Group Living	Dormitory, seasonal labor	М	Section 5-632	
	Rooming house	P		
	Tenant dwelling	P	Section 5 602	
	Tenant dwelling, seasonal labor	₽	Section 5-602(C)	
PUBLIC AND INSTI	TUTIONAL USES			
Aviation	Airport/landing strip	S	Section 5-633	
	Child care home	P	Section 5-609(A)	
Day Care Facilities	Child or adult day care center	S	Section 5-609(B)	
	Agricultural cultural center	S	Section 5-634	
Cultural and Government	Fairground	S	Section 5-635	
Facilities	Structures or uses for local government purposes not otherwise listed in the district	S		
	School (elementary, middle, or high)	S		
Education	Vocational school	S		

# TABLE 2-102: AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

SE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES	
	Arboretum	P	Section 5-636	
	Botanical garden or nature study area	Р	Section 5-636	
	Cemetery	S	Section 5-637	
Park and Open	Mausoleum	S	Section 5-637	
Space	Crematorium	S	Section 5-637	
	Community, neighborhood, or regional park, passive recreational uses	P		
	Community, neighborhood, or regional park, active recreational uses	S		
	Fire and/or rescue station	P	Section 5-638	
Public Safety	Police station or substation	P	Section 5-638	
	Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639	
Religious Assembly	Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children, recreational facilities	s	Section 5-639	
Utility	General Use Category	Р	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)	
	Municipal drinking water supply reservoir	Р		
	Sewage Treatment Plant	S	Section 5-621	
	Sewer Pumping Station	Р	Section 5-621	
	Water Storage Tank	s	Section 5-621	

TABLE 2-102:  AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE  P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES		
,	Water Treatment Plant	S	Section 5-621		
	Water Pumping Station	Р	Section 5-621		
	Utility transmission lines, overhead (excluding connections of lines from existing overhead public utility transmission lines to individual uses)	S	Unless excepted by Section 1-103(D)		
COMMERCIAL USI	ES				
	Conference and training centers	P/M	Section 5-640		
Conference and	Rural corporate retreat	P	Section 5-619		
Training Centers	Rural Resort	<u>P/M</u>	Section 5-601 <del>(D)</del> <u>(C)</u>		
onference and	P/ <u>M</u>	Section 5-601( <del>D)</del> ( <u>C)</u>			
	Teahouse; coffeehouse	P	Section 5-641		
Food and Beverage	Banquet facility	М	Section 5-642		
	Restaurant	М	Section 5-643		
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	М	Section 5-644		
Recreation and Entertainment	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645		
	Camp, day and boarding, with more than 30 campers	M	Section 5-645		
	Campground	М	Section 5-646		
	Country Club	<u>s</u>	Section 5-660		
	Cross country ski business	Р	Section 5-647		
	Eco-tourism	P	Section 5-647		

#### **TABLE 2-102:** AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION ADDITIONAL REGULATIONS FOR AR-1 USE TYPE USE CATEGORY SPECIFIC USES DISTRICT S Section 5-648 Golf course S Section 5-649 Outdoor amphitheater <u>S</u> Private Club or Lodge Rural recreational P establishment, outdoor Section 5-650 P Antique shop Section 5-650 P Art gallery or art studio Retail Sales and S Section 5-651 Auction house Service Ρ Section 5-650 Craft shop Section 5-614 P/M Small business Section 5 601(A) P/M Bed and breakfast, home stay Section 5-601(B)-(A) P/M Bed and breakfast inn Visitor Accommodation Section 5-601(C)-(B) <u>P/</u>M Country inn Guest farm or ranch leasing up p to 20 guest rooms INDUSTRIAL USES Radio and/or television tower S Section 5-618 P Section 5-618(A) Telecommunications antenna Telecommunications Telecommunication P Section 5-618(B)(1) monopole Use and/or Structure Telecommunications S Section 5-618(B)(2) monopole Telecommunications Section 5-618(C)(2) S transmission tower (Grant of a special exception does not avoid

Chapter 1080, Codified

Ordinances of Loudoun County, or any other

requirements of

applicable law.)

Waste-Related Uses

M

Yard waste and/or vegetative

waste compost Vegetative

Waste Management facility

TABLE 2-102:  AR-1 AGRICULTURAL RURAL-1 DISTRICT USE TABLE  P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-1 DISTRICT	ADDITIONAL REGULATIONS FOR SPECIFIC USES		
	Yard Waste Composting Facility	<u>s</u>	(Grant of a special exception does not avoid requirements of Chapter 1080,Codified Ordinances of Loudoun County, or any other applicable law.)		
	Stockpiling of dirt	s	Section 5-657		

2-103 Lot and Building Requirements. Table 2 103 identifies the lot and building requirements that apply to all development in the AR 1 district, except land developed under the AR District Cluster Option pursuant to Section 2 104 and Section 5 703, or unless the performance standards in Section 5 600 (Additional Regulations for Specific Uses) specify different requirements.

TABLE 2-103				
AR 11 OT AND BUILDING REQUIREMENTS				
(EXCEPT DE	VELOPMENT UNDER AR DISTRICT CLUSTER OPTION)			
Minimum Lot Size	<del>20 acres</del>			
Minimum Lot Width	200 feet on paved roads; 50 feet on unpaved roads			
Minimum Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right of way of any arterial road, 75 feet from the right of way of any collector road, and 35 feet from any other road right of way, private access easement, and any prescriptive easement.			
Maximum Lot Coverage	8% maximum, based on gross acreage			
Maximum Building Height	35 feet. No restriction for buildings used exclusively for agriculture, horticulture and animal husbandry.			
Lot Access	Access to individual lot provided by privately owned and maintained travelway which shall either be:			
	<ul> <li>A private lane that:</li> <li>Is within a 24' private easement;</li> <li>Is at least 12' in width;</li> <li>If paved, is 2" over a 4" base;</li> <li>If gravel is 6"; and</li> <li>Has a minimum grade of 10% with a minimum 30' centerline curve radius.</li> </ul>			
	Private access easement or private lane may serve as frontage in lieu of public road frontage up to 25 lots.			
	Plat of division shall contain a note and provide for maintenance of private access easement or private lane.			

1 2 3	2-104	may l	e de	velope	<b>ption.</b> At the option of the landowner, lands in the AR 1 district d pursuant to the procedures and requirements of the AR District Section 5-703).
4	2-105		_	_	
5 6 7 8			<del>cor</del> sup Lar	nmuna ply sy nds co	Development shall be served either by individual wells or all water supply systems. Individual wells or communal water ystems may be located within the Rural Economy Conservation ansistent with the standards of Section 6 2005.
9  0  1  2			<del>sys</del> <del>ma</del> wit	tems ( y be b h the (	tter. Development shall be served either by communal sewer or by septic systems. Communal sewer systems or septic systems ocated within the Rural Economy Conservation Lands consistent standards of Section 6 2005.
13 14 15 16	2-103	under section Subd	r one on sha ivisio	of the all pre n in a	e three development options identified below. Nothing in this clude the opportunity for a property owner to file for a Family accordance with the requirements of the Land Subdivision and dinance.
18 19 20 21	(	(A)	follo proce	wing edures	sity Division Option. A Base Density Division meeting the standards and criteria may be permitted in accordance with the outlined in the Land Subdivision and Development Ordinance r such division:
22 23			(1)		Yield. Under the Base Density Division Option, the maximum lot shall be one lot per 20 acres.
24 25 26 27			(2)	with and	the Base Density Division Option are identified in Table 2-102 are subject to the Additional Regulations for Specific Uses of on 5-600.
28			(3)	Lot a	and Building Requirements.
29				(a)	Minimum Lot Size. 20 acres.
30				(b)	Minimum Lot Width. 175 feet.
31 32 33 34 35				(c)	Minimum Yards. No structure shall be located within 25 feet of any property line or within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and/or any prescriptive easement.
36				(d)	Maximum Lot Coverage. 11% maximum.

1			(e)	Maximum Building Height. 35 feet, excluding agricultural,
2				horticultural, and animal husbandry structures.
3		(4)	Crea	tion of Lots.
4			(a)	Request. Requests for creation of lots by plat of division in the
5				AR-1 District shall be submitted to the Director of the
6				Department of Building and Development (or designee) for
7				review and approval in accordance with "AR-2 and AR-1
8				Divisions" of the Land Subdivision and Development Ordinance.
9				The second function on
10			(b)	Public Road Frontage. No such lot shall be created fronting on
11				a public road unless the publicly dedicated width of the road
12				along the entire frontage of the newly created lot, measured from
13				the centerline of the road to the property line of the lot, satisfies the criteria of the Virginia Department of Transportation
14				
15				(VDOT).
16			( )	Utility Requirements. Each lot shall have an on-site water
17			(c)	supply and individual sewage disposal system.
18				supply and individual sewage disposal system.
19		(5)	Lot	Access.
20			(a)	Access to individual lots may be provided by a private access
20 21			(u)	easement that complies with the requirements of the Facilities
22				Standards Manual.
			(h)	A private access easement may serve as frontage in-lieu of public
23			(b)	road frontage for up to 7 lots.
24				
25			(c)	The plat of division shall contain a note detailing the provisions
26				for the maintenance of the private access easement.
27				The Deigning I/Subordinate
28	(B)	<u>Prin</u>	<u>cipal</u>	/Subordinate Subdivision Option: The Principal/Subordinate
29		Subc	11V1S1	on Option is a subdivision of land in which a maximum lot yield is
30		calcu	<u>ilated</u>	for an Originating Tract based on the gross acreage of such tract. mum lot yield shall be as set forth in Subsection 2-103(B)(1)(b)
31		<u>Ine</u>	maxi	he Principal/Subordinate Subdivision Option results in the creation
32		belo	W. 1	rincipal Lot, and one or more Subordinate Lots. The number of
33		01 01 Cubs	ne Pi	the Lots created is subtracted from the maximum lot yield and the
34		Subc	<u>nullia</u> Itina	number establishes the remaining number of lots, which is
35		resul	med :	to the Principal Lot. The creation of subsequent Subordinate Lots
36		from	the	Principal Lot is permitted, with the number of lots assigned to the
37		Prin	cinal	Lot reduced by one for each Subordinate Lot created. Once the
38 39		niim	her c	of lots assigned to the Principal Lot is reduced to one, no more
39 40		Subo	ordin:	ate Lots can be created. The Principal/Subordinate Subdivision
41		Onti	on tv	pically allows the landowner to achieve a greater lot yield than the
42		base	dens	sity of the Base Density Division Option, while providing for the

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I .	estal	olishm	nent of rural economy uses as a primary use with single-family residential development as a secondary use.
2	deta	<u>cnea r</u>	esidentiai development as a secondary use.
3	(1)	<u>Gen</u>	eral Requirements.
4 5		<u>(a)</u>	General. A landowner may exercise this option on a site consisting of a minimum of 20 acres prior to development.
6		<u>(b)</u>	Lot Yield. The maximum lot yield shall be 1 lot per 10 acres.
7 8	(2)	Cha	racteristics of Principal/Subordinate Subdivision Option.
0	(2)		
9 10		(a)	The lot yield of a Principal/Subordinate Subdivision shall be calculated from the Originating Tract of land in existence at the
11			time the first Principal/Subordinate Subdivision is created.
12		(b)	Once a Principal/Subordinate Subdivision is created, the number
13 14		(b)	of lots assigned to the subdivision shall not be altered.
15 16		(c)	The lot yield of the Originating Tract shall be calculated with
17		(-)	each preliminary and/or record plat. At the time of the first
18			subdivision, the number of Subordinate Lots created is subtracted
19			from the number of lots calculated for the Originating Tract and
20			the remaining number of lots is then assigned to the Principal Lot. Each subsequently created Subordinate Lot is subtracted
21			from the number of lots assigned to the Principal Lot and shall
22			reduce the number of lots assigned to the Principal Lot by one
23 24			(1) for each lot.
25			
26		(d)	A Principal Lot may be further subdivided, provided the minimum requirements of the Zoning Ordinance and Land
27			Development and Subdivision Ordinance (LSDO) are met. Once
28			the number of lots assigned to the Principal Lot is reduced to
29 30			one, the Principal Lot may no longer be subdivided.
31			
32		(e)	Subordinate Lots shall not be further subdivided. The record plat
33			and initial deed of conveyance after establishment of a
34			subdivision lot under the Principal/ Subordinate Subdivision
35			Option shall contain a statement to this effect.
36			
37		(f)	A subdivision of one or more lots may occur at one time or in a series of subdivisions up to the maximum lot yield calculated for
38			the Originating Tract.
39			the Originating Tract.
40			

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in 25 feet of E-way of any llector road;

AR-1

1		(5)	Landscaping/Buffering. Notwithstanding the requirements of
2			Section 5-1400, required buffers may be provided on either the
3			Principal and/or Subordinate lot.
4		(6)	Utility Requirements.
5			(a) Water. All lots shall be served by individual water supply
6			systems located on the lot.
7			(b) Sewer. All lots shall be served by individual sewage disposal
8			(b) Sewer. All lots shall be served by individual sewage disposal systems located on the lot.
		(7)	Fire Protection. The development shall satisfy the fire protection
10 11		(1)	standards set forth in the Facilities Standards Manual.
12		(8)	Lot Access.
13			(a) Access to individual lots may be provided by a private access
14			easement that complies with the requirements of Chapter 4:
15			Transportation, of the Facilities Standards Manual.
16			(b) A private access easement may serve as frontage in lieu of public
17			road frontage up to 25 lots per easement.
18			(c) The record plat of subdivision shall contain a note detailing the
19			provisions for the maintenance of the private access easement.
20	(C)	Clus	ter Subdivision Option. The Cluster Subdivision Option allows for
21	(C)	thos	subdivision of a tract of land with a more compact residential design
22 23		nlus	one or more large lots suitable for rural economy uses and/or common
23 24		open	space. Communal water and sewer systems may be used for such
25			lopments.
26		(1)	General Requirements.
27			(a) General. A landowner may exercise this option on a site
28			consisting of a minimum of 20 acres prior to development.
29			
30			(b) Lot Yield. The maximum lot yield shall be 1 lot per 10 acres.
31			
32		(2)	Characteristics of Cluster Subdivision Option.
33			(a) Depending on the tract size, the cluster subdivision may include
34			one or more Rural Cluster Lots and at least one Rural Economy
35			Lot and may include Common Open Space.
36			



1 2 3	(b)	The lot yield of the cluster subdivision shall be calculated from the gross acreage for the tract of land from which the subdivision is created.
4 5 6	(c)	All lots within the cluster subdivision shall be created at one time.
7 8 9	(d)	The lots created by cluster subdivision shall not be further subdivided.
0 1 2	(e)	A Homeowners' Association is required for any subdivision with common elements as described in Section 2-104.
3 4 5	(f)	Each preliminary and record plat for a cluster subdivision shall contain a tabulation of lot yield for the cluster subdivision.
6 7 8	(g)	The perimeter setback required in Section 2-103(C)(6) shall be indicated and clearly labeled on each preliminary and record plat.
19 20 21 22	(h)	A minimum of 70% of the gross land area of the development shall be comprised of a Rural Economy Lot(s) or a combination of Rural Economy Lot(s) and Common Open Space.
22 23 24 25 26 27 28 29	(i)	Variation of Lot Sizes: In all new residential subdivisions containing seven (7) or more lots, a mixture of lot sizes and dimensions shall be provided in order for a variety of housing opportunities and avoid monotonous streetscapes. No more than 25 percent of all lots shall be similar in total area. For purposes of this subsection, "similar" lot areas shall be defined as within 1,500 square feet of each other.
31 32 33 34 35	prop subo	standards for Residential Cluster Lots. The site layout of the bosed development shall occur in conjunction with preliminary division plat review. Development of the cluster option shall apply with all of the following standards, in addition to the LSDO:
36 37 38 39	(a)	Number of Lots in Cluster(s). Rural Cluster Lots shall be grouped in clusters consisting of a minimum of 5 lots and a maximum of 25 lots, except that a cluster may consist of fewer than 5 lots if any one of the following applies:
40 41 42		<ul> <li>(i) There will be fewer than 5 lots in the entire subdivision.</li> <li>(ii) In the AR-1 district, the area of the site is less than 50</li> </ul>
43		acres.

1	(iii) It is demonstrated that a cluster of fewer than 5 lots will
2	result in less disturbance of land within the Mountainside
3	Development Overlay District (MDOD), Floodplain
	Overlay District (FOD) lands, and/or land containing steep
4	slopes and/or wetlands.
5 6 (b)	CD Cluster I etc
•	shall be required where the total number of lots on a site is
7	greater than 25. A single grouping of Rural Cluster Lots shall
8	contain all the lots where the total number of lots on a site is 25
9	or fewer, except that multiple clusters may be allowed where it is
10	demonstrated that multiple clusters will result in less disturbance
	of land within the Mountainside Development Overlay District
12	(MDOD), Floodplain Overlay District (FOD) lands, and/or land
13	
14	containing steep slopes and/or wetlands.
15	The state of Paral
16 (c)	Distance Between Clusters. If more than one grouping of Rural
17	Cluster Lots is to be created from a parcel, a minimum of 500
18	feet shall separate the lot lines of the outer boundaries of each
19	grouping of Rural Cluster lots (exclusive of open space and lots
20	15 acres or greater).
21	
	Minimum Lot Size.
22 (d <sub>23</sub>	
24	(i) On-site Water and Wastewater. 40,000 sq. ft., exclusive of
25	major flood plain.
26	
27	(ii) Off-site Wastewater, On-site Water. 20,000 sq. ft.,
28	exclusive of major flood plain.
29	
30	(iii) Off-site Water and Off-Site Wastewater. No minimum lot
31	size.
32	
33 (e	Maximum Lot Size. 4 acres, exclusive of major floodplain.
34	
35 (f)	Maximum Lot Coverage.
36	
37	(i) Lots less than 40,000 sq. ft.: 8%
	1.50
38	(ii) Lots 40,000 sq. ft. – 4 acres: 15%
39	D. M. J. Herrary Late. The wass allowed on late are identified
40 (g	Permitted Uses on Lots. The uses allowed on lots are identified
41	in Table 2-102 and are subject to the Additional Regulations for
42	Specific Uses in Section 5-600.
43	

1	(	(4)	Lot s	standar	ds for Rural Economy Lots. I	Each cluster subdivision
2			shall	contair	at least one Rural Economy L	ot of a minimum of 15
3					all meet the following standards:	
4			(a)	Minim	um Lot Size. 15 acres.	
5			(b)	Mayin	um Lot Coverage. 8%.	
6			(0)	IVIGATII	tum Dot Coverage, 676.	
7 8			(c)	Minim	um Lot Width. 175 feet.	
9				•		
10			(d)	Maxin	num Length/Width Ratio. 3:1.	
11			(-)	Downsi	tted Uses on Lots. The uses allow	ved on lots are identified
12			(e)	rermi	e 2-102, subject to the Additional	Regulations for Specific
13						Regulations for Specific
14				<u>Uses II</u>	Section 5-600.	
15		(5)	Com	mon O	pen Space Use. Land that is nei	ther part of a building lot
16	'	(3)	nor a	road ri	ght-of-way shall be placed in com	mon open space and shall
17			ho m	ointoine	d by a Homeowner's Association	as described in Section 2-
18			104	Comm	on Open Space shall be designed	to constitute a contiguous
19			104.	coheciv	e unit of land which may be u	used as described below.
20			Com	mon O	pen Space has no minimum or ma	ximum lot size and no lot
21			<u>COIII</u>	mon O	tions. Further, Common Open Sp.	ace does not count against
22					allotted to the subdivision.	ace does not count against
23			ine ic	ot yieiu	anotted to the subdivision.	
24			<i>(</i> )	n	tted Uses. Uses allowed on the C	ommon Open Space land
25			(a)	Permi	ted below and are subject to the A	Additional Regulations for
26						
27				Specii	ic Uses in Section 5-600 as refere	nceu.
28				G)	Bona fide agriculture, horticultu	re animal husbandry and
29				(i)	structures accessory to such use,	including but not limited
30					to barns and run-in sheds to	house livestock or farm
31						
32					equipment, pursuant to Section 5-	<del>-020.</del>
33				Z**S	Construction and/or sales tra	oiler during period of
34				(ii)		mer, during period or
35					construction activity.	
36					To the second of	on decimage agones saurer
37				(iii)	Easements and improvements for	
38					or water lines, or other public pur	poses.
39						and a standard make make
40				(iv)	Passive open space or passive re	creation, including but not
41					limited to trails, picnic areas, con	amunity gardens.
42						ī
43				(v)	Sewage disposal system, commu	<u>nal.</u>
44						A K
45				(vi)	Sewer pumping station.	10
	Section 2-100				18	July 18, 2006

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1				(vii)	Stables, pursuant to Section 5-627.
2				( ***)	
				(viii)	Stormwater management facilities for the proposed
4				( , , , , ,	development or for a larger area in compliance with a
5					watershed stormwater management plan.
6					THE CONTRACT OF THE CONTRACT O
7				(ix)	Telecommunications antenna, pursuant to Section 5-
8				(11/)	618(A).
9					
10				(x)	Telecommunications monopole, pursuant to Section 5-
11					<u>618(B)(1).</u>
12				(xi)	Telecommunications monopole, pursuant to Section 5-
13				(^/	618(B)(2).
13					- Caraller Caraller
14				(xii)	Utility substation, dedicated.
15				(xiii)	Utility transmission lines, overhead (excluding
16					connections of lines from existing overhead public utility
17					transmission lines to individual uses).
18					
19				(xiv)	Water pumping station.
20					
21				(xv)	Water supply system, communal.
22				()	
23			(b)	Specia	al Exception Use. The following uses are permitted within
24			(0)	Comn	non Open Space with Special Exception approval pursuant to
25				Section	n 6-1300 and are subject to the Additional Regulations for
25 26				Specif	ic Uses in Section 5-600 as referenced.
				<u>opee</u>	
27				(ii)	Active recreation space.
28					
29				(ii)	Telecommunications tower, pursuant to Section 5-
30					<u>618(C)(2</u> ).
31		(6)	Setb	ack.	
32		. ,	(a)	Setba	ck. No structure shall be located within one hundred (100)
33				feet fi	com the right of way of any arterial road; seventy five (75)
34				feet f	rom the right of way of any collector road; or thirty five
35				(35)	feet from any other road right of way, private access
36				easem	nent, and/or prescriptive easement.
37					Q. I. D. 11 D. 11 Aprillings within the subdivision
38			(b)	<u>Perin</u>	neter Setback. Residential dwellings within the subdivision.
39				includ	ling the Rural Economy Lot, shall be set back a minimum of
40					eet from any lot line adjoining parcels not located within the
41				cluste	r subdivision.
42		(7)	Yar	de	Here was a second of the secon
43	G : 0:00	(7)	1 211	us.	July 18, 2006
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1		(a)	Fron	t. 35 feet minimum.
2		(b)	Side.	. 15 feet minimum.
3 4		(0)	<u> </u>	
5		(c)	Rear	35 feet minimum.
6 7	(8)	Ruil	ding F	Requirements.
8	(0)	27 4411	· · · · · · · · · · · · · · · · · · ·	
9		(a)	Buile	ding Height. Thirty five (35) feet maximum, excluding
10			agric	cultural, horticultural, and animal husbandry structures.
11				
12	(9)	<u>Utili</u>	ity Re	quirements.
13				
14		(a)	Wat	er. All lots shall be served by either:
15			(i)	Individual water systems, located on the lot served, or
16			(ii)	Communal water system, located within Common Open
17			. ,	Space, with maintenance to be provided pursuant to Section
18				2-103(C)(10).
19				
20		(b)	Sew	er. All lots shall be served by either:
21			(i)	Individual sewage disposal systems, located on the lot
22				served or in Common Open Space. A maximum of seventy
23				percent (70%) of the lots may have primary and/or reserve
24				septic fields within common open space. The record plat
25				shall identify the location of all septic fields and shall
26				assign them to lots. or
27			(ii)	Communal sewage disposal system that shall be located
28				within Common Open Space with maintenance to be
29				provided pursuant to Section 2-103(C)(10).
30				_
31	(10)	<u>Ma</u>		ance of Water and/or Sewage Disposal Systems.
32		(a)	<u>Ind</u>	ividual Systems. Maintenance of Individual Water and
33				vidual Sewage Disposal Systems shall be the responsibility
34			<u>of tl</u>	ne owner of the lot the system serves.
35		(b)	Cor	nmunal. If the development is served by a communal water
36		(0)	and.	or sewage disposal system, such systems shall be operated
37 38			and	maintained by LCSA, in accord with all LCSA adopted
39			noli	cies. If LCSA policies preclude maintenance by LCSA, then
40			the	HOA shall contract with a public water or sewer
41			(wa	stewater) utility as defined in Chapter 10.1 or 10.2 of Title 56
42			of t	he Code of Virginia. An access easement shall be provided
43			for	the entity maintaining the system. All costs of operation and
44			mai	ntenance of such communal systems shall be borne as a
45			con	nmon expense by the owners of the lots served
				11 19 2004

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1		(1	.1)	Lot	Access.
2		(1	.1)	LOU	
3				(a)	Access to individual lots or common open space may be
4					provided by a private access easement which shall comply with
5					the requirements of the Facilities Standards Manual.
6					
7				(b)	Private access easements may serve as frontage in lieu of public
8					road frontage for up to 25 lots per easement.
9					
10				(c)	The plat of subdivision shall contain a note detailing the
11					maintenance provisions of the private access easement.
12					
13		(	12)	Fire	Protection. The development shall satisfy the fire protection
14				stan	dards set forth in the Facilities Standards Manual.
					1 D 11141 og
15	2-104		eowi	ners'	Association and Responsibilities.
16		(A)	If th	e sub	division contains any of the common areas of improvements listed
17			<u>belo</u>	<u>w, t</u>	he development shall have an incorporated Homeowners'
18			·		on ("HOA"). The HOA shall have the responsibility to maintain
19			the f	ollow	ving areas or improvements:
••			(1)	Con	nmon open space areas within the development that are not part of
20			(1)		ndividual lot;
21				all	ildividual fot,
22 23			(2)	Lot	(s), if owned by the HOA;
23 24			(2)	1000	5), 12 01/11/20 0 / 11/2 11/2
25			(3)	Priv	vate roads, if any, within or serving the development, except as
26			(-)		vided in Section 2-104(C);
27				-	
28			(4)	Cor	nmunal water and/or sewage disposal systems, except as provided
29			, .	in S	Section 2-104(D);
30				****	
31			(5)	<u>Any</u>	y stormwater management facilities or areas;
32					4
33			(6)	Fire	e protection pond(s), dry mains, or other improvements;
34			/ mm \	-	s at the facilities or improvements as may be designated
35			(7)		th other common facilities or improvements as may be designated
36				<u>ın t</u>	he bylaws of the HOA.
37					and for all numbers of late in the
38		(B)	Mei	<u>mbers</u>	ship in the HOA shall be required for all purchasers of lots in the
39			sub	<u>divisi</u>	on and their successors in title.
40			ът ·		tanding the requirements of Section 2-104(A) above, if the only
41		(C)	Not	withs	tanding the requirements of Section 2-10-(A) above, if the only
42			con	<u>ımon</u>	element is the private roads or easements, then such private roads or
43			ease	ement	s shall either be maintained by an HOA or pursuant to a private road nee agreement. If such roads are to be maintained pursuant to a
44			mai	ntena	nce agreement. If such loads are to be manitamed pursuant to a

AZI

1 2			private road maintenance agreement, then the terms thereof shall be included on each record plat of subdivision for the development.
3 4 5 6 7	i	(D)	Notwithstanding the requirements of Section 2-104(A) above, communal water or sewage disposal systems may be maintained by LCSA or a public water or sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia.
8 9		(E)	Prior to approval of a record plat of subdivision for the cluster:
10 11 12 13 14			(1) If an HOA is to be established, the landowner shall submit documents for the creation of the HOA to the County for review and approval, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common areas, including a legal description of such areas and a description of restrictions placed upon the use and enjoyment of the land;
16 17 18			(2) If a communal water and/or sewage disposal system is to be maintained by a third party, a minimum two year maintenance contract is to be submitted for review by the County.
19 20 21 22			(3) If the subdivision is served by private roads and there is no HOA for the subdivision, the developer shall submit a private road maintenance agreement to the County for review and approval.
23 24 25 26 27	2-105	auth oper	ognizing Protection by Right to Farm Act. Record plats and deeds orized pursuant to this section shall include a statement that agricultural rations enjoy the protection of the Right to Farm Act (Va. Code Section 3.1-28 et seq.).
28 29	2-106	Exis	sting Lots of Record.
30 31 32 33 34		(A)	Lots existing as of (insert date of ordinance adoption) shall be permitted the uses identified in Table 2-102: AR-1 Agricultural Rural-1 District Use Table and shall follow the lot and building requirements for the Base Density Division option as identified in Section 2-103(A).
35 36 37 38 39 40 41 42		(B)	Hamlet Lots. For lots recorded prior to (insert date of ordinance adoption and developed under a hamlet subdivision, in accordance with the zoning ordinance in effect at the time of subdivision, such lots shall follow the requirements in effect as of the date the lots were recorded.

#### Section 2-200 AR-2 Agricultural Rural-2

2-201 Purpose and Intent	. The purpose and intent of the AR-2 district is to
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- Support the primary use of land for rural economy uses consistent with the pattern of rural and agricultural land uses in the district, including sustaining and nurturing the economically significant equine industry.
  - (B) Allow residential uses secondarily in a form that is at densities consistent with the general open and rural character of the rural economy uses, and consistent with the land use patterns in the district, which are marked by very low density and large parcels relative to the other portions of the County.
  - Allow for a broad range of rural economy uses, including traditional and new agricultural uses (traditional and new agricultural uses (agriculture, horticulture and animal husbandry), agriculture support and basic services directly associated with on-going agricultural activities, and other low impact non-rural uses that can be developed in ways that are that are consistent with the rural character of the AR-2 District rural economy uses through mitigation or other standards.
  - (D) Recognize the County's tourism industry is interconnected with the rural economy and rural economy uses in the district by allowing for tourism uses related to traditional and new agricultural uses, conference and training center uses, and rural activity and special event uses for tourists related to the traditional and new agricultural uses.
  - (E) Promote consistency between Ensure that residential development and is consistent with the open character of the rural economy uses through lower by requiring either very low density residential development or the clustering of residential development in ways that are harmonious with rural economy uses and that preserve the general rural character of the district.
  - (F) Ensure that development is designed and located in ways that are consistent with conservation design principles and protects and maintains primary conservation areas in ways that are consistent with the development of rural economy uses and the general rural character of the district.
  - (G) Ensure that the rural economy uses are compatible with any existing permitted residential development.
- 2-202 Use Regulations. Table 2-202 summarizes the principal use regulations of the AR-2 district.
- (A)(B)Organization of Use Table. Table 2-202 organizes the uses in the AR-2 district by Use Classifications, Use Categories and Use Types.

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1 2	(1)	Use Classifications. The Use Classifications are: agricultural uses; residential uses; public and institutional uses; commercial uses; and
3		industrial uses. The Use Classifications provide a systematic basis for
4		assigning present and future land uses into broad general
5		classifications (e.g., agricultural uses and residential uses). The Use
6		Classifications then organize land uses and activities into general "Use
7		Categories" and specific "Use Types" based on common functional,
8		product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are
9		
10		sold or delivered, and site conditions.
11	(2)	Use Categories. The Use Categories describe the major sub-groups of
12	,	the Use Classification, based on common characteristics (e.g., the
13		residential Use Classification is divided into two major Use
14		Categories: Household Living and Group Living). Principal uses are
15		identified in defining the Use Category. They are principal uses that
16		most closely share the common characteristics that are key to the Use
17		Category.
18	(3)	Use Types. The Use Categories are then divided into specific Use
19	ζ- /	Types. The specific Use Types are included in the respective Use
20		Category. They identify the specific uses that are considered to fall
21		within characteristics identified in the Use Category. For example,
22		single family detached dwellings, multi-family dwellings and town
23		houses are Use Types in the Household Living Use Category.
24	(B) <del>(C)</del> -Use (	Categories and Use Types Defined. All the Use Categories and Use
25	Types	listed in Table 2-202 are defined in Article VIII (Definitions).
26	(C) <del>(D)</del> Pern	nitted and Special Exception Uses. A "P" in the column identified
27	"AR	-2" indicates that a Use Category or specific Use Type is permitted as a
28	matte	er of right (as a permitted use) in the AR-2 district, subject to compliance
29	with	all applicable standards and regulations in this Ordinance and all other
30	Cour	nty ordinances. An "S" indicates that a Use Type is allowed in the AR-2
31	distr	ict as a special exception in accordance with the procedures and
32	stano	dards of Section 6-1300. An "M" indicates that a Use Type is allowed in
33	the	AR-2 district as a minor special exception in accordance with the
34	proc	edures and standards of Section 6-1300. In some instances, and based on
35	the A	Additional Regulations for Specific Uses (Section 5-600), a Use Type
36	will	be permitted as a matter of right under certain conditions or allowed as a
37	spec	ial exception or minor special exception under other conditions. In those inces, it is identified as "P/S" or "P/M," as appropriate.
38		
39	(D)(E)-Refe	erence to General Use Category. References to "General Use Category"
40	unde	er the Use Type column mean all of the uses in the Use Category are
41	allov	wed. The Use Category is defined in Article VIII. Where specific Use

1 2	Types are listed in the Use Type column, only the listed Use Types in the Use Category are allowed. The Use Types are defined in Article VIII.
3	(E)(F)—Additional Regulations for Specific Uses. References to sections in the

(E)(F)—Additional Regulations for Specific Uses. References to sections in the final column of Table 2-202 (Additional Regulations for Specific Uses) indicate that the listed use is subject to use-specific regulations. The numbers provide a cross-reference to the "Additional Regulations for Specific Uses" in Section 5-600.

(F) Minimum Lot Size Requirements. Each principal permitted use shall meet the minimum acreage requirement, where specified in the "Additional Regulations for Specific Uses" in Section 5-600, for that use. Where two or more principal uses are located on one parcel, the parcel size shall be the larger of the two or more uses requirements, and not the sum of all minimum lot sizes.

TABLE 2-202:  AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE  P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES		
AGRICULTURAL U	SES				
Agriculture	General Use Category	P	Section 5-626		
Horticulture	General Use Category	P	Section 5-626		
Animal Husbandry	General Use Category	P Section 5-626	Section 5-626		
Agriculture Support	Agricultural processing	P	Section 5-627		
Directly Related to On-going	Agri-education	P	Section 5-627		
Agriculture, Horticulture and	Animal care business	Р	Section 5-627		
Animal Husbandry Activity, On-Site	Agritainment	P	Section 5-627		
152.4	Commercial winery with 20,000 square feet or less	P	Section 5-625		
	Commercial winery, over 20,000 square feet	S	Section 5-625		
12	Custom operators	P	Section 5-627		
THE COLUMN TO TH	Direct market business for sale of products produced on-site - including but not limited to PYO (pick-your-own)	P	Section 5-627		

## TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES		
	Equestrian facilities	Р	Section 5-627		
	Farm based tourism	P	Section 5-628		
***************************************	Farm co-ops	P	Section 5-627		
2000	Farm machinery repair	P	Section 5-627		
	Farm markets	P	Section 5-603		
	Feedlot (for on-going, on-site animal husbandry activities)	P	Section 5-627		
	Nursery, commercial	S	Section 5-605		
	Nursery, production	P	Section 5-605		
	Pet farms	Р	Section 5-627		
	Restaurant	P	Section 5-627		
	Sawmill	S	Section 5-629		
	Stables	P	Section 5-627		
	Veterinary services	Р			
	Virginia Farm Winery	P			
	Wayside stand	P	Section 5-604		
	Wetlands mitigation bank	P	Section 5-627		
Agriculture Support and Services Not	Agricultural research facility	P	Section 5-644		
Directly Associated with On-Site	Animal care businesses	Р	Section 5-630		
Agricultural Activity	Central farm distribution hub for agricultural products	P	Section 5-630		
	Commercial winery, with 20,000 square feet or less	P	Section 5-625		
	Commercial winery, over 20,000 square feet	S	Section 5-625		

### TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P - PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES		
	Equestrian facility	P	Section 5-630		
	Equestrian facility, on lots of less than 50 acres or without frontage on state maintained road	М	Section 5-630		
	Farm machinery repair	P	Section 5-630		
	Farm machinery sales, rental and service	P	Section 5-615		
	Mill feed and farm supply center	P	Section 5-630		
	Nursery, commercial	s	Section 5-605		
	Stable, neighborhood, on lots of 25 acres or more, or frontage on state maintained road	P	Section 5-630		
	Stable, neighborhood, on lots of less than 25 acres or without frontage on state maintained road	М	Section 5-630		
	Stable, private	P	Section 5-630		
	Animal hospital	P	Section 5-631		
Animal Services	Kennel	S M	Section 5-606		
	Kennel, Indoor	м-Р	Section 5-606		
	Accessory dwelling (accessory to single family detached dwelling)	Р	Section 5-613		
	Caretaker's residence (accessory to single family detached dwelling)	₽			
Household Living	Dwelling, single-family detached, including manufactured housing	p	May subdivide property in accordance with Section 2-203 Development Options. May use AR District Cluster Option. See Sections 2 204 and 5 703.		
	Guest house (accessory to single family detached dwelling)	Þ	Section 5 612		
	Home occupation (accessory to single family detached dwelling)	Р	Section 5-400		
	Portable Dwelling/Trailer Construction	P			
Group Living	Co-housing	Р			

## TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES		
	Convent or monastery	P/S	Section 5-656		
	Dormitory, seasonal labor	М	Section 5-632		
	Rooming house	P			
	Tenant dwelling	P	Section 5-602		
	Tenant dwelling, seasonal labor	P	Section 5-602(C)		
PUBLIC AND INSTI	TUTIONAL USES				
Aviation	Airport/landing strip	S	Section 5-633		
	Child care home	Р	Section 5-609(A)		
Day Care Facilities	Child or adult day care center	S	Section 5-609(B)		
	Agricultural cultural center	S	Section 5-634		
Cultural and Government	Fairground	S	Section 5-635		
Facilities	Structures or uses for local government purposes not otherwise listed	S			
	School (elementary, middle, or high)	S			
Education	Vocational school	S			
Park and Open Space	Arboretum	P	Section 5-636		
~ Imm	Botanical garden or nature study area	P	Section 5-636		
	Cemetery	S	Section 5-637		
	Mausoleum	S	Section 5-637		
	Crematorium	S	Section 5-637		
	Community, neighborhood, or regional park, passive recreational uses				

# TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

ED S = SPECIAL EXCER	THUN MI-W	IIIOK SI ECIAE EACEI 1101
USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES
Community, neighborhood, or regional park, active recreational uses	S	
Fire and/or rescue station	P	Section 5-638
Police station or substation	P	Section 5-638
Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area	P	Section 5-639
Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children,	S	Section 5-639
General Use Category	P	Recycling drop-off collection center, public: Section 5-607 Utility substation, transmission: Section 5-616(A) Utility substation, distribution: Section 5-616(B)
Municipal drinking water supply reservoir	Р	
Sewage Treatment Plant	s	Section 5-621
Sewer Pumping Station	Р	Section 5-621
Water Storage Tank	S	Section 5-621
Water Treatment Plant	S	Section 5-621
Water Pumping Station	P	Section 5-621
Utility transmission lines, overhead (excluding connections of lines from public utility transmission lines to individual	S	Unless excepted by Section 1-103(D)
	Community, neighborhood, or regional park, active recreational uses  Fire and/or rescue station  Police station or substation  Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area  Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children, recreational facilities  General Use Category  Municipal drinking water supply reservoir  Sewage Treatment Plant  Sewer Pumping Station  Water Storage Tank  Water Treatment Plant  Water Pumping Station  Utility transmission lines, overhead (excluding connections of lines from public utility	Community, neighborhood, or regional park, active recreational uses  Fire and/or rescue station  Police station or substation  Church, synagogue, temple or mosque, with seating capacity of 300 or less seats in sanctuary or main activity area  Church, synagogue, temple or mosque, with seating capacity of more than 300 in sanctuary or main activity area, or accessory schools, day care centers with more than 50 children, recreational facilities  General Use Category  P  Municipal drinking water supply reservoir  Sewage Treatment Plant  Sewer Pumping Station  P  Water Storage Tank  S  Water Treatment Plant  S  Water Pumping Station  P  Utility transmission lines, overhead (excluding connections of lines from public utility transmission lines to individual

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### **TABLE 2-202:** AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE YED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

P = PERMIT	TED S = SPECIAL EXCER	PTION M=N	MINOR SPECIAL EXCEPTION
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES
	Conference and training centers	М	Section 5-640
Conference and	Rural agricultural corporate retreat	P	Section 5-619
Training Centers	Rural Resort	P <u>/M</u>	Section 5-601 <del>(D)</del> (C)
	Rural Retreat	₽ <u>/M</u>	Section 5-601 <del>(D)</del> (C)
	Teahouse; coffeehouse	P	Section 5-641
Food and Beverage	Banquet facility	M	Section 5-642
	Restaurant	М	Section 5-643
Office	Educational or research facilities use related to the agriculture, horticulture and animal husbandry uses in the district	М	Section 5-644
	Camp, day and boarding, with 30 or fewer campers	P	Section 5-645
	Camp, day and boarding, with more than 30 campers	M	Section 5-645
	Campground	М	Section 5-646
	Country Club	S	<u>Section 5-660</u>
Recreation and	Cross country ski business	P	Section 5-647
Entertainment	Eco-tourism	P	Section 5-647
	Golf course	s	Section 5-648
	Outdoor amphitheater	S	Section 5-649
	Private club or lodge	<u>s</u>	
	Rural recreational establishment, outdoor	Р	
Retail Sales and Service	Antique shop	P	Section 5-650
New Table	Art gallery or art studio	P	Section 5-650

AR-2

### TABLE 2-202: AR-2 AGRICULTURAL RURAL-2 DISTRICT USE TABLE P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION

P = PERMITTED S = SPECIAL EXCEPTION M=MINOR SPECIAL EXCEPTION					
USE CATEGORY	USE TYPE	AR-2 DISTRICT	ADDITIONAL EGULATIONS FOR SPECIFIC USES		
	Auction house	S	Section 5-651		
	Craft shop	S	Section 5-650		
	Small business	P/M	Section 5-614		
	Bed and breakfast, home stay	P/M	Section 5-601(A)		
Visitor	Bed and breakfast inn	P/M	Section 5-601(B)(A)		
Accommodation	Country inn	<u>P/</u> M	Section 5-601 <del>(C)</del> ( <u>B</u> )		
	Guest farm or ranch leasing up to 20 guest rooms	P			
INDUSTRIAL USES					
	Radio and/or television tower	S	Section 5-618		
	Telecommunications antenna	P	Section 5-618(A)		
Telecommunication Use and/or	Telecommunications monopole	P	Section 5-618(B)(1)		
Structure	Telecommunications monopole	S	Section 5-618(B)(2)		
A Committee of the Comm	Telecommunications transmission tower	s	Section 5-618(C)(2)		
	Yard waste and/or Vegetative waste management compost facility	<u>s</u> .	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)		
Waste-Related Uses	Yard waste composting facility	<u>S</u>	(Grant of a special exception does not avoid requirements of Chapter 1080, Codified Ordinances of Loudoun County, or any other applicable law.)		
	Stockpiling of dirt	S	Section 5-657		

2-203 Lot and Building Requirements. Table 2 203 identifies the lot and building requirements that apply to all development in the AR 2 district, except land developed under the AR 2 Cluster Option pursuant to Section 2 204 and Section 5 703, or unless the performance standards in Section 5 600 (Additional Regulations for Specific Uses) specify different requirements.

	TABLE 2-203
AR-2	LOT AND BUILDING REQUIREMENTS
(EXCEPT DEV	ELOPMENT UNDER AR DISTRICT CLUSTER OPTION)
Minimum Lot Size	50 acres
Minimum Lot Width	200 feet on paved roads; 50 feet on unpaved roads
Minimum Yards	No building shall be located within 25 feet of any property line nor within 100 feet from the right of way of any arterial road, 75 feet from
	the right of way of any collector road, and 35 feet from any other road
	right of way, private access easement, and any prescriptive easement.
1.4. (	8% maximum, based on gross acreage
Maximum Lot Coverage	35 feet. No restriction for buildings used exclusively for agriculture,
<b>Maximum Building Height</b>	horticulture and animal husbandry.
	Access to individual lot provided by privately owned and maintained
Lot Access	travelway which shall either be:
	therefore with some ender oc.
	- A private access easement that complies with the
	requirements of Chapter 4: Transportation of the
	Facilities Standards Manual; or
	- Tachines Standards Manager, or
	- A private lane that:
	- Is within a 24' private easement;
	■ Is at least 12' in width;
	<ul><li>If paved, is 2" over a 4" base;</li></ul>
	■ If gravel is 6"; and
	Has a maximum grade of 10% with a minimum 30'
	centerline curve radius.
	<ul> <li>Private access easement or private lane may serve as frontage</li> </ul>
	in lieu of public road frontage up to 25 lots.
	Plat of division shall contain a note and provide for maintenance of
	private access easement or private lane.

AR-2 Cluster Option. At the option of the landowner, lands in the AR-2 district may be developed pursuant to the procedures and requirements of the AR District Cluster Option (Section 5 703).

#### 2-205 Utility Requirements.

- (A) Water. Development shall be served either by individual wells or communal water supply systems. Individual wells or communal water supply systems may be located within the Rural Economy Conservation Lands consistent with the standards of Section 6-2005.
- (B) Wastewater. Development shall be served either by communal sewer systems or by septic systems. Communal sewer systems or septic systems may be located within the Rural Economy Conservation Lands consistent with the standards of Section 6 2005.

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1	<u>2-203</u>	Deve	elopm	ent C	options. Land within the AR-2 zoning district may be subdivided	
2		unde	r one	of the	three development options identified below. Nothing in this section	
3		shall preclude the opportunity for a property owner to file for a Family Subdivision in				
4		accordance with the requirements of the Land Subdivision and Development				
5		<u>Ordi</u>	<u>nance</u>	÷		
6		(A)	Base	e Den	sity Division Option. A Base Density Division meeting the	
7		()	follo	wing	standards and criteria may be permitted in accordance with the	
8			proc	edures	s outlined in the Land Subdivision and Development Ordinance	
9					or such division:	
10			(1)	Lot	Yield. Under the Base Density Division Option, the maximum lot	
11			(1)		shall be one lot per 40 acres.	
12			(2)	Pern	nitted Uses. The uses permitted on lots developed in accordance with	
12			(2)	the I	Base Density Division Option are identified in Table 2-202 and are	
14				subje	ect to the Additional Regulations for Specific Uses of Section 5-600.	
15			(3)	Lot:	and Building Requirements.	
16				(a)	Minimum Lot Size. 40 acres.	
17				(b)	Minimum Lot Width. 175 feet.	
18				(c)	Minimum Yards. No structure shall be located within 25 feet of	
19				. ,	any property line or within 100 feet from the right-of-way of any	
20					arterial road; 75 feet from the right-of-way of any collector road; or	
21					35 feet from any other road right-of-way, private access easement,	
22					and/or any prescriptive easement.	
23				(d)	Maximum Lot Coverage. 11%.	
24				(e)	Maximum Building Height. 35 feet, excluding agricultural,	
25					horticultural, and animal husbandry structures.	
26			(4)	Cre	ation of Lots.	
27				(a)	Request. Requests for creation of lots by plat of division in the AR-	
28					2 District shall be submitted to the Director of the Department of	
29					Building and Development (or designee) for review and approval in	
30					accordance with "AR-2 and AR-1 Divisions" of the Land	
31					Subdivision and Development Ordinance.	
32				(b)	Public Road Frontage. No such lot shall be created fronting on a	
33					public road unless the publicly dedicated width of such road along	
34					the entire frontage of the newly created lot, measured from the	
35					centerline of the road to the property line of the lot, satisfies the	
36					criteria of the Virginia Department of Transportation (VDOT).	
37						

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†uuo			(c)	Utility Requirements. Each lot shall have an on-site water supply
2			(-)	and individual sewage disposal.
3		(5)	Lot A	Access.
3		(0)		
4			(a)	Access to individual lots may be provided by a private access
5				easement that complies with the requirements of the Facilities
6				Standards Manual.
7 8			(b)	A private access easement may serve as frontage in-lieu of public road frontage for up to 7 lots.
			(c)	The plat of division shall contain a note detailing the provisions for
9 10			(0)	the maintenance of the private access easement.
11				The Dringing I/Subordingte
12	(B)	Princ	cipal/	Subordinate Subdivision Option: The Principal/Subordinate on Option is a subdivision of land in which a maximum lot yield is
13		Subd	1 <u>1V1S10</u>	for an Originating Tract based on the gross acreage of such tract.
14		The 1	mavin	num lot yield shall be as set forth in Subsection 2-203(B)(1)(b) below.
15		The	Princ	ipal/Subordinate Subdivision Option results in the creation of one
16 17		Princ	rinal I	ot, and one or more Subordinate Lots. The number of Subordinate
18		Lots	create	ed is subtracted from the maximum lot yield and the resulting number
19		estab	lishes	s the remaining number of lots, which is assigned to the Principal Lot.
20		The	creat	ion of subsequent Subordinate Lots from the Principal Lot is
21		perm	<u>iitted,</u>	with the number of lots assigned to the Principal Lot reduced by one
22		for e	each S	Subordinate Lot created. Once the number of lots assigned to the
23		Princ	<u>cipal l</u>	Lot is reduced to one, no more Subordinate Lots can be created. The
24		Princ	cipal/	Subordinate Subdivision Option typically allows the landowner to
25		achie	eve a	greater lot yield than the base density of the Base Density Division while providing for the establishment of rural economy uses as a
26		<u>Opti</u>	on, v	se with single-family detached residential development as a secondary
27			lary u	SE WILLI SHIGH-Tahmiy detached residental do long-
28		use.		
29		(1)	<u>Gen</u>	eral Requirements.
30			(a)	General. A landowner may exercise this option on a site consisting
31				of a minimum of 40 acres prior to development.
32			<u>(b)</u>	Lot Yield. The maximum lot yield shall be 1 lot per 20 acres.
33				and the second s
34		(2)	<u>Cha</u>	racteristics of Principal/Subordinate Subdivision Option.
35			(a)	The lot yield of a Principal/Subordinate Subdivision shall be
36				calculated from the Originating Tract of land in existence at the time
37				the first Principal/Subordinate Subdivision is created.
38				1/0 1 32 . 0 1 12 12 . 1
39			(b)	Once a Principal/Subordinate Subdivision is created, the number of
40				lots assigned to the subdivision shall not be altered.

1			
2		(c)	The lot yield of the Originating Tract shall be calculated with each
3			preliminary and/or record plat. At the time of the first subdivision,
4			the number of Subordinate Lots created is subtracted from the
5			number of lots calculated for the Originating Tract and the remaining
6			number of lots is then assigned to the Principal Lot. Each
7			subsequently created Subordinate Lot is subtracted from the number
8			of lots assigned to the Principal Lot and shall reduce the number of
9			lots assigned to the Principal Lot by one (1) for each lot.
10			
11		(d)	A Principal Lot may be further subdivided, provided the minimum
12		` '	requirements of the Zoning Ordinance and Land Development and
13			Subdivision Ordinance (LSDO) are met. Once the number of lots
14			assigned to the Principal Lot is reduced to one, the Principal Lot may
15			no longer be subdivided.
16			
17		(e)	Subordinate Lots shall not be further subdivided. The record plat
18			and initial deed of conveyance after establishment of a subdivision
19			lot under the Principal/ Subordinate Subdivision Option shall contain
20			a statement to this effect.
21			
22		(f)	A subdivision of one or more lots may occur at one time or in a
23			series of subdivisions up to the maximum lot yield calculated for the
24			Originating Tract.
25			
26		(g)	Any subdivision record plat for a Principal/Subordinate Subdivision
27			shall contain a tabulation of density showing, in addition to all Land
28			Subdivision and Development Ordinance (LSDO) requirements, the
29			lot yield originally calculated for the Originating Tract, all prior
30			subdivisions from the Originating Tract and each resulting Principal
31			Lot and number of lots created pursuant to such subdivisions.
32			man man a same a same a same management
33		(h)	The Principal Lot shall be clearly labeled on each record plat.
34			The state of the state of the division shall contain at least one
35		(i)	Each Principal/Subordinate Subdivision shall contain at least one
36			Rural Economy Lot of a minimum of 25 acres in size.
37			ALL THY
38	(3)	Per	mitted Uses.
39		(a)	Principal and Subordinate Lots. The uses permitted on lots
40		()	developed in accordance with the Principal/Subordinate
41			Development Option are identified in Table 2-202 and are subject to
42			the Additional Regulations for Specific Uses of Section 5-600.
43			
44	(4)	Lot	and Building Requirements. The Lot and Building Requirements
45	. /	for	development under the Principal/Subordinate Subdivision Option are

1 2 3		identified below, except where the performance standards in Section 5-600 (Additional Regulations for Specific Uses) specify different requirements for a particular use.
4 5 6 7		(a) Minimum Lot Size. 80,000 square feet, exclusive of major floodplain. At least one lot in the development shall be a Rural Economy Lot with a minimum of 25 acres.
8 9		(b) Minimum Lot Width. 175 feet.
10 11		(c) Maximum Length/Width Ratio. 3:1.
12 13 14 15 16		(d) Minimum Yards. No structure shall be located within 25 feet of any property line or within 100 feet from the right-of-way of any arterial road, 75 feet from the right-of-way of any collector road, and 35 feet from any other road right-of-way, private access easement, and/or any prescriptive easement.
18 19		(e) Maximum Lot Coverage. 15% maximum.
20 21 22		(f) Building Height. 35 feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
23 24 25	(5)	Landscaping/Buffering. Notwithstanding the requirements of Section 5- 1400, required buffers may be provided on either the Principal and/or Subordinate lots.
26	(6)	<u>Utility Requirements.</u>
27 28		(a) Water. All lots shall be served by individual water supply systems located on the lot.
29 30 31		(b) Sewer. All lots shall be served by individual sewage disposal systems located on the lot.
32 33 34	(7)	Fire Protection. The development shall satisfy the fire protection standards set forth in the Facilities Standards Manual.
35	(8)	Lot Access.
36 37 38 39		(a) Access to individual lots may be provided by a private access easement that complies with the requirements of Chapter 4:  Transportation, of the Facilities Standards Manual.  (b) A private access easement may serve as frontage in lieu of public
40		road frontage up to 25 lots per easement.

1 2			(c)	The record plat of subdivision shall contain a note detailing the provisions for the maintenance of the private access easement.
3 4 5	(C)	subd	ivisio	ubdivision Option. The Cluster Subdivision Option allows for the n of a tract of land with a more compact residential design plus one or
6 7		more Com	large muna	e lots suitable for rural economy uses and/or common open space.  I water and sewer systems may be used for such developments.
8		(1)	Gene	eral Requirements.
9 10			(a)	General. A landowner may exercise this option on a site consisting of a minimum of 40 acres prior to development.
11 12			(b)	Lot Yield. The maximum lot yield shall be 1 lot per 20 acres.
13 14		(2)	Cha	racteristics of Cluster Subdivision Option.
15 16 17			(a)	Depending on the tract size the cluster subdivision may include one or more Rural Cluster Lots and at least one Rural Economy Lot and may include Common Open Space.
18 19 20 21			(b)	The lot yield of the cluster subdivision shall be calculated from the gross acreage for the tract of land from which the subdivision is created.
22 23			(c)	All lots within the cluster subdivision shall be created at one time.
24 25 26			(d)	The lots created by cluster subdivision shall not be further subdivided.
27 28 29			(e)	A Homeowners' Association is required for any subdivision with common elements as described in Section 2-204.
30 31 32			(f)	Each preliminary and record plat for a cluster subdivision shall contain a tabulation of lot yield for the cluster subdivision.
33 34 35			(g)	The perimeter setback required in Section 2-203(C)(6) shall be indicated and clearly labeled on each preliminary and record plat.
36 37 38 39			(h)	A minimum of 70% of the gross land area of the development shall be comprised of a Rural Economy Lot(s) or a combination of a Rural Economy Lot(s) and common open space.
40 41 42		(3)	<u>Lot</u>	standards for Rural Cluster Lot(s). The site layout of the bosed development shall occur during preliminary subdivision plat

1 2	<u>revie</u> follo	w. Development of the cluster option shall comply with all of the wing standards in addition to the requirements of the LSDO:
2		Number of Lots in Cluster(s). Lots shall be grouped in clusters
3	(a)	consisting of a minimum of 5 lots and a maximum of 25 lots, except
4		that a cluster may consist of fewer than 5 lots if any one of the
5		
6		following applies:
7		(1) It - famous than 5 late in the entire subdivision
8		(i) There will be fewer than 5 lots in the entire subdivision.
9		(ii) In the AR-2 district, the area of the site is less than 100 acres.
10		(iii) It is demonstrated that a cluster of fewer than 5 lots will result
11		in less disturbance of land within the Mountainside
12		Development Overlay District (MDOD), Floodplain Overlay
13		District (FOD) lands, and/or land containing steep slopes
14		and/or wetlands.
15		a Chyotan I ats shall
16	(b)	Number of Clusters. Multiple groupings of Rural Cluster Lots shall
17		be required where the total number of lots on a site is greater than
18		25. A single grouping of Rural Cluster Lots shall contain all the lots
19		where the total number of lots on a site is 25 or fewer, except that
20		multiple clusters may be allowed where it is demonstrated that
21		multiple clusters will result in less disturbance of land within the
22		Mountainside Development Overlay District (MDOD), Floodplain
23		Overlay District (FOD) lands, and/or land containing steep slopes
24		and/or wetlands.
25		To the area manning of chapter
26	(c)	Distance Between Clusters. If more than one grouping of cluster
27		lots is to be created from a parcel, a minimum of 500 feet shall
28		separate the lot lines of the outer boundaries of each grouping of
29		cluster lots (exclusive of common open space and lots 25 acres or
30		greater).
31		
32	(d)	Minimum Lot Size.
33		A A A A A A A A A A A A A A A A A A A
34		(i) On-site Water and Wastewater. 40,000 sq. ft., exclusive of
35		major flood plain.
36		20 000 - A avaluaiva
37		(ii) Off-site Wastewater, On-site Water. 20,000 sq. ft., exclusive
38		of major flood plain.
39		To one City XXI 4 4 No windows late
40		(iii) Off-site Water and Off-Site Wastewater. No minimum lot
41		size.
42		
43	(e)	Maximum Lot Size. 175 feet.
44		
45	(f)	Maximum Lot Coverage.

1				
2				ots less than 40,000 sq. ft.: 8%.
3			(ii) <u>L</u>	ots 40,000 sq. ft. – 4 acres: 15%.
4			Th. '4	A The was allowed on lots are identified in
5		(g)	Permit	ted Uses on Lots. The uses allowed on lots are identified in 2-202 and are subject to the Additional Regulations for
6				c Uses in Section 5-600.
7			Specifi	C Uses in Section 3-000.
8	(4)	Late	tandar	ds for Rural Economy Lots. Each cluster subdivision shall
9	(4)	conta	in at le	east one Rural Economy Lot that shall meet the following
10		stand		and the Rular Beoliffy Bot that Share most the
11		Stanu	arus.	
12		(a)	Minim	um Lot Size. 25 acres.
13		( )		
14		(b)	Maxim	num Lot Coverage. 8%.
15			-	
16		(c)	<u>Minim</u>	um Lot Width. 175 feet.
17				
18		(d)	<u>Maxin</u>	num Length/Width Ratio. 3:1.
19				The state of identified in
20		(e)	Permit	tted Uses on Lots. The uses allowed on lots are identified in
21				2-202, subject to the Additional Regulations for Specific Uses
22			in Sect	ion 5-600.
23	(5)	Com	mon O	pen Space Use. Land that is neither part of a building lot nor a
24 25	(3)	road	right-o	f-way shall be placed in common open space and shall be
26		main	tained b	by a Homeowner's Association as described in Section 2-204.
27		Com	mon O	pen Space shall be designed to constitute a contiguous and
28		cohe	sive uni	t of land which may be used as described below. Common
29		Oper	Space	has no minimum or maximum lot size and no lot width
30		regul	ations.	Further, Common Open Space does not count against the lot
31		yield	allottec	I to the subdivision.
32				
33		(a)	<u>Permi</u>	tted Uses. Uses allowed on the Common Open Space land are
34				below and are subject to the Additional Regulations for
35			Specif	ic Uses in Section 5-600 as referenced:
36			Z:X	Agriculture, horticulture, animal husbandry and structures
37			(i)	accessory to such use, including, but not limited to barns and
38				run-in sheds to house livestock or farm equipment, pursuant to
39				Section 5-626.
40				DOCKOI J OAO.
41 42			(ii)	Construction and/or sales trailer, during period of construction
43			(44)	activity.
44				
45			(iii)	Easements and improvements for drainage, access, sewer or
46			× /	water lines, or other public purposes.
• •/				

1				
2			(iv)	Passive open space or passive recreation, including but not
3				limited to trails, picnic areas, community gardens.
4				:
5			(v)	Sewage disposal system, communal.
6			·	
7			(vi)	Sewer pumping station.
8			, ···	Cultura was to Section 5 627
9			(vii)	Stables, pursuant to Section 5-627.
10			(viii)	Stormwater management facilities for the proposed
11			(VIII)	development or for a larger area in compliance with a
12 13				watershed stormwater management plan.
14				
15			(ix)	Telecommunications antenna, pursuant to Section 5-618(A).
			(x)	Telecommunications monopole, pursuant to Section 5-
16			(X)	618(B)(1).
17				•
18			(xi)	Telecommunications monopole, pursuant to Section 5-
19				<u>618(B)(2).</u>
				There I wasten dedicated
20			(xii)	<u>Utility substation, dedicated.</u>
21			(xiii)	Utility transmission lines, overhead (excluding connections
21 22			(7111)	of lines from existing overhead public utility transmission
23				lines to individual uses).
24				
25			(xiv)	Water pumping station.
26				
27			(xv)	Water supply system, communal.
28			• •	
29		(b)	<b>Specia</b>	al Exception Use. The following uses are permitted within
30				non Open Space with Special Exception approval pursuant to
31				n 6-1300 and are subject to the Additional Regulations for
32			Specif	cic Uses in Section 5-600 as referenced.
33				
34			(i)	Active recreation space.
35			(ii)	Telecommunications tower, pursuant to Section 5-618(C)(2).
36				
37	(6)	-	ack.	
38		(a)	No str	ructure shall be located within one hundred (100) feet from the
39			right o	of way of any arterial road; seventy five (75) feet from the right
40			of wa	y of any collector road; or thirty five (35) feet from any other
41				right of way, private access easement, and/or prescriptive
42 43			easem	ICIU.
,				

1 2		` '	Perimeter Setback. Residential dwellings within the subdivision, including the Rural Economy Lot, shall be set back a minimum of 100
3 4			feet from any lot line adjoining parcels not located within the cluster subdivision.
5	(7)	<u>Yard</u>	<u>s.</u>
7 8		(a)	Front. 35 feet minimum.
9 10		(b)	Side. 15 feet minimum.
11 12		(c)	Rear. 35 feet minimum.
13 14	(8)	Build	ling Requirements.
15	(-)		
16 17		(a)	Building Height. Thirty five (35) feet maximum, excluding agricultural, horticultural, and animal husbandry structures.
18 19	(9)	<u>Utilit</u>	ty Requirements.
20		(a)	Water. All lots shall be served by either:
21		(a)	(i) Individual water systems, located on the lot served; or
22			(ii) Communal water system, located within Common Open Space,
23 24			with maintenance to be provided pursuant to Section 2-
25			203(C)(10).
26 27		(b)	Sewer. All lots shall be served by either:
28		(0)	(i) Individual sewage disposal systems. Such system shall be
29 29			located on the lot served or in common open space. A
30			maximum of seventy percent (70%) of the lots may have
31			primary and/or reserve septic fields within common open space. The record plat shall identify the location of all septic
32 33			fields and shall assign them to lots, or
34			(ii) Communal sewage disposal system that shall be located within
35			Common Open Space with maintenance to be provided
36 37			pursuant to Section 2-203(C)(10).
38	(10)	Mai	ntenance of Water and/or Sewage Disposal Systems.
39		(a)	Individual Systems. Maintenance of Individual Water and
40			Individual Sewage Disposal Systems shall be the responsibility of the owner of the lot the system serves.
41 42			
43		(b)	Communal. If the development is served by a communal water and/or sewage disposal system, such systems shall be operated and
44 45			maintained by LCSA, in accord with all LCSA adopted policies. If
46			LCSA policies preclude maintenance by LCSA, then the HOA shall

1			contract with a public water or sewer (wastewater) utility as defined
2			in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. An
3			access easement shall be provided for the entity maintaining the
4			system. All costs of operation and maintenance of such communal
5			systems shall be borne as a common expense by the owners of the
6			lots served.
7			1000 SQL TQQ
8		(11) <b>Lot</b> A	Access.
O		(11) 11001	
9		(a)	Access to individual lots or common open space may be provided by
10			a private access easement which shall comply with the requirements
11			of the Facilities Standards Manual.
12			
13		(b)	Private access easements may serve as frontage in lieu of public road
14			frontage for up to 25 lots per easement.
15			
16		(c)	The plat of subdivision shall contain a note detailing the
17			maintenance provisions for the private access easement.
18			
19			Protection. The development shall satisfy the fire protection
20		stand	ards set forth in the Facilities Standards Manual.
21	2-204 Hon	eowners' /	Association and Responsibilities.
22	$\frac{2-204-1101}{(A)}$	If the sub	division contains any of the common areas or improvements listed
23	(11)	below, the	development shall have an incorporated Homeowners' Association
24		("HQA").	The HOA shall have the right and responsibility to maintain the
25		******	areas or improvements:
2.5			
26		(1) <u>Com</u>	mon open space areas within the development that are not part of an
27		<u>indiv</u>	ridual lot;
28			
29		$(2)  \underline{\text{Lot}(s)}$	s), if owned by the HOA;
30		(2) Duine	ate roads, if any, within or serving the development, except at
31			ided in Section 2-204(C);
32		prov	ided in Section 2-204(C),
33 34		(4) Com	munal water and/or sewage disposal systems, except as provided in
35			ion 2-204(D);
36		<u>5000</u>	
37		(5) <u>Any</u>	stormwater management facilities or areas;
38			
39		(6) Fire	protection pond(s), dry mains, or other improvements;
5,7		$(0)$ $\underline{ruc}$	protection point(b); ary mains, or other maps
40		· /	
		(7) <u>Such</u>	other common facilities or improvements as may be designated in
40		(7) <u>Such</u>	
40 41		(7) Such the b	other common facilities or improvements as may be designated in cylaws of the HOA.
40 41 42 43 44	(B)	(7) Such the b	other common facilities or improvements as may be designated in cylaws of the HOA.  hip in the HOA shall be required for all purchasers of lots in the
40 41 42 43	(B)	(7) Such the b	other common facilities or improvements as may be designated in cylaws of the HOA.

1 2 3	(C	E) <u>Noty</u> elen	withstanding the requirements of Section 2-204(A) above, if the only common nent is private roads or easements, then they shall either be maintained by an
4 5 6		HOz maii	A or pursuant to a private road maintenance agreement. If such roads are to be national pursuant to a private road maintenance agreement, then the terms eof shall be included on each record plat of subdivision for the development.
7			
8	$(\Gamma$	) <u>Not</u>	withstanding the requirements of Section 2-204(A) above, communal water or
9		<u>sew</u> :	age disposal systems may be maintained by LCSA or a public water or sewer
10		***************************************	stewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of
11		VII	<u>zinia.</u>
12 13	(E	E) <u>Prio</u>	r to approval of a record plat of subdivision for the cluster:
1.4		(1)	If a Homeowner's Association is to be established, the landowner shall
14 15		(1)	submit documents for the creation of the HOA to the County for review
16			and approval, including its bylaws, and all documents governing
17			ownership, maintenance, and use restrictions for common areas, including
18			a legal description of such areas and a description of restrictions placed
19			upon the use and enjoyment of the land.
20		(2)	If a communal water and/or sewage disposal system is to be maintained by
21			a third-party, a minimum two year maintenance contract is to be submitted
22			for review by the County.
23			
24		(3)	If the subdivision is served by private roads and there is no HOA for the
25			subdivision, the developer shall submit a private road maintenance
26 27			agreement to the County for review and approval.
28	2-205 R	ecogniz	zing Protection by Right to Farm Act. Record plats and deeds authorized
29	pi	ursuant	to this section shall include a statement that agricultural operations enjoy the
30	<u>p</u> i	rotection	n of the Right to Farm Act (Va. Code Section 3.1-22.28 et seq.).
31			
32	2-206 <b>E</b>	xisting	Lots of Record.
33	(A)	т.	ots existing as of (insert date of ordinance adoption) shall be permitted the
34 25	(A)	<u>با</u> 114	ses identified in Table 2-202: AR-2 Agricultural Rural-2 District Use Table
35 36		us er	nd shall follow the lot and building requirements for the Base Density
36 37			ivision option as identified in Section 2-203(A).
38		1/	17 IOIOII OPIIOII III IGOIIIIII III DODIIOII & MODIIOII
39	(B)	H	famlet Lots. For lots recorded prior to (insert date of ordinance adoption) and
40	(-)	$\overline{\mathbf{d}}$	eveloped under a hamlet subdivision, in accordance with the zoning
41		Oi	rdinance in effect at the time of subdivision, such lots shall follow the
42			equirements in effect as of the date the lots were recorded.
43			
44			

45

Section 2	<u> 2-150                                    </u>	RR-1 Rural Residential District - 1
2-151	predom yield the access is come forestal uses; a rural ed develop	se. This district is established to provide for residential development in a minantly rural environment in areas currently zoned AR-1. A greater lot man permitted in the AR-1 district may be achieved where appropriate road is available for the scale of development; where the proposed development patible with other properties in the vicinity, including agricultural and districts, open space easements, predominant parcel sizes and adjacent and where water and onsite sewage disposal systems are feasible. Limited conomy uses are encouraged that are compatible with clustered residential pment. A cluster subdivision pattern is required.  All Requirements. The requirements established in the following sections the the general and specific standards for development under the RR-1 th.
	(A)	General:
		(1) The tract shall consist of a minimum of 15 acres plus 40,000 square
		feet contiguous acres prior to development.
		(2) Rezoning requests shall be processed pursuant to the requirements of Section 6-1200. Rezoning requests for tracts smaller than 90 acres shall be processed in accordance with Section 6-1200 as modified by Section 6-1216.
		modified by Section 5 12101
		(3) The residential development on this site shall be clustered according to the provisions of this Section.
	(B)	Lot Yield. The maximum number of lots shall be one lot per 7.5 gross acres.
	O.	A
2-153	(A)	<u>secteristics of Cluster Subdivision.</u> The elements of the cluster subdivision are:
		(1) Rural Residential Lots,
		(2) Rural Economy Lot(s),
		(3) <u>Common Open Space.</u>
	(D)	Depending on the tract size, the cluster subdivision shall include one of
	(B)	more Rural Residential Lots and at least one Rural Economy Lot and ma
		include common open space.
	(C)	All lots within the cluster development shall be created at one time.
	(D)	The lots created by the cluster subdivision shall not be further subdivided
	( · )	

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	(T)	The site layout of these elements shall occur during the approval of a
	(E)	rezoning.
	(F)	A HOA is required for any subdivision with common elements as described in Section 2-161(B).
	(G)	A minimum of 70% of the gross land area of the development shall be comprised of Rural Economy Lot(s) and, if present, Common Open Space, as defined in Section 2-154(C).
	(H)	The rezoning plat for the development shall contain a tabulation of density.
	(I)	The preliminary and record plats shall show the perimeter setback as required in Section 2-155(A)(2).
	(J)	Variation of Lot Sizes: In all new residential subdivisions containing seven (7) or more lots, a mixture of lot sizes and dimensions shall be provided in order for a variety of housing opportunities and avoid monotonous streetscapes. No more than 25 percent of all lots shall be similar in total area. For purposes of this subsection, "similar" lot areas shall be defined as within 1,500 square feet of each other
2-154	Standa Lot(s),	ards. Development of the Rural Residential Lots, the Rural Economy and Common Open Space shall comply with the following standards.
	(A) <u>I</u>	Rural Residential Lots. Rural Residential lots shall be grouped in clusters and shall comply with all of the following standards:
	(	1) Maximum Gross Land Area. Rural Residential Lots may comprise a maximum of 30% of the gross land area of the development.
	(	Number of Lots in Cluster(s). Rural Residential Lots shall be grouped in clusters consisting of a minimum of 5 lots and a maximum of 25 lots, except that a cluster may consist of fewer than 5 lots if any one of the following applies:
		<ul> <li>(a) There will be fewer than 5 lots in the entire subdivision.</li> <li>(b) The area of the subdivision is less than 37.5 acres.</li> </ul>
		(c) It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplair Overlay District (FOD) lands, and/or land containing steep
	2-154	(G)  (H)  (J)  2-154 Standa Lot(s).  (A) Factorial actions in the second content of the

AYS

1 (3) 2 3 4 5 6 7 8 9	require A sing total n cluster cluster Mount Overla	det of Clusters. Multiple groupings of cluster lots are ed where the total number of lots on a site is greater than 25. The grouping of cluster lots shall contain all the lots where the number of lots on a site is 25 or fewer, except that multiple its may be allowed where it is demonstrated that multiple its will result in less disturbance of land within the tainside Development Overlay District (MDOD), Floodplain may District (FOD) lands, and/or land containing steep slopes wetlands.
10	TD!-4	ace Between Clusters. If more than one grouping of cluster
$\begin{array}{c} 11 \\ 12 \end{array} \tag{4}$	) <u>Distai</u>	to be created from a parcel, a minimum of 500 feet shall
12 13	1018 18	the the lot lines of each grouping of cluster lots (exclusive of
13	separa	on open space and Rural Economy Lots).
14	COHIII	on open space and Kurai Economy Ester.
15	Minin	num Lot Size.
$\frac{16}{17}$	) <u>(VIIIII)</u>	num Lot Size.
17	(a)	On-site Water and Wastewater. 40,000 sq. ft., exclusive of
18	(a)	major floodplain.
19		inajor noodpiam.
20	(b)	Off-site Wastewater, On-site Water. 20,000 sq. ft.,
21	(6)	exclusive of major floodplain.
21 22 23 24		
2 <i>A</i>	(c)	Off-site Water and Off-Site Wastewater. No minimum lot
25	(-)	size.
26 26		
27 (6	) Maxi	mum Lot Size. 4 acres, exclusive of major flood plain.
28		
29 (7	) Maxi	mum Lot Coverage:
30	· -	
31	(a)	Lots less than 40,000 sq. ft.: 8%.
32		
33	(b)	Lots 40,000 sq. ft. – 4 acres: 15%.
34		
35 (8	) Perm	nitted Uses on Rural Residential Lots. The uses allowed on
36	the R	ural Residential Lots are listed below and are subject to the
37		tional Regulations for Specific Uses in Section 5-600 as
38	<u>refere</u>	enced.
39		
40	(a)	Accessory dwelling (accessory to single-family detached
41		dwelling), pursuant to Section 5-613.
42		t de de destre elettres
43	(b)	Accessory uses, such as garages, sheds, decks, clotheslines,
44		swimming pools, and other residential accessory uses and
45		structures customarily found in association with and clearly
46		incidental and subordinate in size to the principal residential

1				structure and use.
2 3 4			(c)	Agriculture, horticulture, animal husbandry, including bona fide agricultural structures, pursuant to Section 5-626.
5 6			(d)	Bed and breakfast, pursuant to Section 5-601(A).
7			(e)	Child care home, pursuant to Section 5-609.
9 10 11			(f)	Construction and/or sales trailer, during period of construction activity.
12 13 14			(g)	Dwelling, single-family detached, including manufactured housing.
15 16 17			(h)	Home occupation (accessory to single-family detached dwelling), pursuant to Section 5-400.
18 19 20			(i)	Portable dwelling/trailer during construction of a primary residence, pursuant to Section 5-500.
21 22 23			(j)	Small business (excluding Repair service occupations and Contractors and contracting) pursuant to Section 5-614.
24 25			(k)	Stables, pursuant to Section 5-627.
26 27 28 29			(1)	Stables, without commercial boarding or equestrian instruction, on less than 5 acres, accessory to a single-family residence.
30 31			(m)	Telecommunications antenna, pursuant to Section 5-618(A).
32 33			(n)	Utility substation, dedicated, pursuant to Section 5-616
34 35 36	(B)	Rural Rural	Econo Econo	omy Lots. Each cluster subdivision shall contain at least one my Lot meeting the following regulations:
37		(1)	<u>Mini</u>	mum Lot Size. 15 acres.
38 39		(2)	<u>Mini</u>	mum Lot Width. 175 feet.
40 41		(3)	Max	imum Length/Width Ratio. 3:1.
42 43		(4)	Max	imum Lot Coverage. 8%.
44 45 46		(5)	<u>Pern</u> Rura	nitted Uses on Rural Economy Lot. The uses allowed on the l Economy Lot(s) are listed below and are subject to the

1	Additi	onal Regulations for Specific Uses in Section 5-600 as
2	referer	<u>nced</u>
3		
4	(a)	Apartment or dwelling unit (accessory to a single family
5		detached dwelling), pursuant to Section 5-613.
6		
7	(b)	Accessory uses, such as garages, sheds, decks, clotheslines,
8		swimming pools and other residential accessory uses and
9		structures customarily found in association with and clearly
10		incidental and subordinate in use to a single family residential
11		structure and use.
12		the state of the second brokenday including hope
13	(c)	Agriculture, horticulture, animal husbandry including bona
14		fide agricultural structures, pursuant to Section 5-626.
15	(1)	Animal baseital surrought to Section 5-631
16	(d)	Animal hospital, pursuant to Section 5-631.
17	(a)	Antique shop, pursuant to Section 5-650.
18	(e)	Antique shop, pursuant to bection 5 050.
19	(f)	Art gallery or art studio, pursuant to Section 5-650.
20	(1)	All ganery of the studies, parsuant to
21	(g)	Bed and breakfast, pursuant to Section 5-601(A).
22 23	(5)	Dot alte oronia and pro-
24 24	(h)	Child care home, pursuant to Section 5-609.
25	(^~/	
26	(i)	Child or adult daycare center, pursuant to Section 5-609.
27	. ,	
28	(j)	Construction and/or sales trailer, during period of
29		construction activity.
30		
31	(k)	Craft shop, pursuant to Section 5-650.
32		# COF
33	(1)	Equestrian Facility, pursuant to 5-627.
34		5 400
35	(m)	Home occupation, pursuant to Section 5-400.
36		are how but not limited to wildlife
37	(n)	Nature preserve, such as but not limited to, wildlife
38		sanctuary, conservation area, and game preserve.
39	(0)	Portable dwelling/trailer during construction of a primary
40	(o)	residence, pursuant to Section 5-500.
41		residence, pursuant to bection 5 555.
42	(p)	Production nursery, pursuant to Section 5-605.
43	(b)	i ioddonoi iidioo ji poodaa io o
44 45	(q)	School, 15 pupils or less.
46	(4)	



1 2			(r)	Single family dwelling, including manufactured housing, in association with a permitted use.
3 4 5			(s)	Small business, excluding Repair Service occupations and Contractors and contracting, pursuant to Section 5-614.
6 7			(t)	Telecommunications antenna, pursuant to Section 5-618(A).
8 9			(u)	Utility substation, dedicated, pursuant to Section 5-616
10 11			(v)	Veterinary service.
12 13			(w)	Virginia Farm Winery.
14 15			(x)	Wayside stand.
16		(6)	N 42	or Special Exception Uses on Rural Economy Lot. The
17		(6)	Cult	wing uses are permitted on a Rural Economy Lot by Minor
18				
19			Spec	ial Exception pursuant to Section 6-1300.
20				- to the the transfer of the Miner Consist
21			(a)	Bed and Breakfast with Banquet Facility, Minor Special
22				Exception, pursuant to Section 5-601(A) and Section 5-642.
23				
24		(7)	Spec	ial Exception Uses on Rural Economy Lot. The following
25				are permitted on a Rural Economy Lot by Special Exception
26			pursu	ant to Section 6-1300.
20 21 22 23 24 25 26 27			-	
28			(a)	Golf course, with accessory clubhouse, pursuant to Section 5-
<b>2</b> 9			,	648.
30				
31			(b)	Telecommunications monopole, pursuant to Section 5-
32			(0)	618(B)(1) and Section 5-618(B)(2).
32 33				
			(c)	Telecommunications tower pursuant to Section 5-618(C)(2).
34			(0)	1 Clocommunications to work
35	(C)	Comm	on Or	pen Space Use. Land that is neither a Rural Residential Lot nor
36	(C)	Comm	UII O	nomy Lot and is not a road right-of-way shall be placed in
37		a Kura	[ ECO	n space and shall be maintained by a Homeowner's Association
38				
39		as desc	ribed i	in Section 2-161.
40				A Company Change Howard on the
41		(1)	Perm	nitted Uses on Common Open Space. Uses allowed on the
42			Com	mon Open Space land are listed below and are subject to the
43				tional Regulations for Specific Uses in Section 5-600 as
44			refere	enced.
45				
46			(a)	Agriculture, horticulture, animal husbandry including bona

- Personal					fide agricultural structures, pursuant to Section 5-626.
2			×1	* \	Construction and/or sales trailer, during period of
3			(1	b)	
4					construction activity.
5			(	-1	Easements and improvements for drainage, access, sewer or
6			<b>(</b> +	c)	water lines, or other public purposes.
7					water filles, or other public purposes.
8			(	A)	Passive open space or passive recreation, including but not
9			(	d)	limited to trails, picnic areas, community gardens.
10					minited to trails, pieme areas, community gardens.
11			(	(a)	Sewage disposal system, communal.
12			,	(e)	Sewage disposar system, communar.
13			(	£)	Sewer pumping station.
14			,	(f)	Sewer pumping station.
15			(	(a)	Stables, pursuant to Section 5-627.
16			(	(g)	Stables, parsuant to been 5 027.
17			(	(h)	Stormwater management facilities for the proposed
18			,	(11)	development or for a larger area in compliance with a
19					watershed stormwater management plan.
20					watershed stormwater management page.
21 22			(	(i)	Utility transmission lines, overhead.
23			,	(1)	Other transmission men, overhead.
23 24			(	(j)	Utility substation, distribution, pursuant to Section 5-616.
25			\	J)	
26			(	(k)	Utility substation, transmission, pursuant to 5-616.
27			`	(IC)	
28			(	(1)	Water pumping station.
29			`	(1)	
30			(	(m)	Water supply system, communal.
31					
32		(	2) §	Specia	al Exception Uses on Common Open Space. The following
33			Ĭ	uses a	are permitted with the approval of a Special Exception on
34				<u>Comn</u>	non Open Space pursuant to Section 6-1300.
35					
36			(	(a)	Active recreation space, including golf course, with
37					accessory clubhouse, pursuant to Section 5-648.
38					
39			(	(b)	Water storage tank, by Special Exception, pursuant to
40					<u>Section 5-621.</u>
41					
42			(	(c)	Water treatment plant, by Special Exception, pursuant to
43					<u>Section 5-621.</u>
44 45	O 155	Satha	cks and	l Vor	ls
45 46	2-155	sema	uno aliu	. sait	3-154 
47		(A)	Setb	<u>ack.</u>	



1			(1)	No structure shall be located within one hundred (100) feet from
2 3			(1)	the right of way of any arterial road; seventy five (75) feet from the
4				right of way of any collector road; or thirty five (35) feet from any
5				other road right of way, private access easement, and/or
6				prescriptive easement.
7	•			
8			(2)	Perimeter Setback. Residential dwelling within the subdivision.
9				including Rural Economy Lot(s) shall be set back a minimum of
10				100 feet from any lot line adjoining parcels not located within the
11				cluster subdivision.
11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26		<u>(B)</u>	Yard	<u>ls.</u>
14			(1)	Front. 35 feet minimum
15 16			(1)	
17			(2)	Side. 15 feet minimum.
18 19			(3)	Rear. 35 feet minimum.
20		xx +1.1*	n	
21 22	2-156	Buildii		uirements.
23		(A)		ding Height. Thirty five (35) feet maximum, excluding agricultural,
24			horti	cultural, and animal husbandry structures.
25 26	2-157	Hillity	Reau	irements.
20 27	2-137	<u>Othic,</u>		
28		(A)	Wat	er. All lots shall be served by either:
29			(a)	Individual water supply system, located on the lot served, or
30				
31			(b)	Communal water system, located within Common Open Space,
32 33				with maintenance to be provided pursuant to Section 2-158
33 34		(B)	Sew	er. All lots shall be served by either:
35			(a)	Individual sewage disposal systems, located on the lot. Such
36			(+-)	system shall be located on the lot served or in Common Open
37				Space. A maximum of seventy percent (70%) of the lots may
38				have primary and/or reserve septic fields within common open
39				space. The record plat shall identify the location of all septic
40				fields and shall assign them to lots, or
41			<b>(L)</b>	Communal sewage disposal system located within Common
42			(b)	Open Space with maintenance to be provided pursuant to Section
43 44				2-158.
44 45				
46	2-158		<u>tenanc</u>	e of Water and/or Sewage Disposal Systems.
47		(A)	<u>Indi</u>	vidual Systems. Maintenance of Individual Water and Individual
48				age Disposal Systems shall be the responsibility of the owner of the
49			lot t	he system serves.

1				
		(B)	Co	mmunal. If the development is served by a communal water and/or
2 3		` '	sev	vage disposal system, such systems shall be operated and maintained
4			by	LCSA, in accord with all LCSA adopted policies. If LCSA policies
5			pre	clude maintenance by LCSA, then the HOA shall contract with a
6			nul	olic water or sewer (wastewater) utility as defined in Chapter 10.1 or
7			10	2 of Title 56 of the Code of Virginia. An access easement shall be
8			pro	ovided for the entity maintaining the system. All costs of operation
			pre	I maintenance of such communal systems shall be borne as a
9				nmon expense by the owners of the lots served.
11				
12	2-159			ction. The development shall satisfy the fire protection standards set
13		forth	in the	Facilities Standards Manual.
10 12 13 14 15	2-160	Lat	Access	
	Z-100		Acces	s to individual lots may be provided by private access easement
16		(A)	<u>Acces</u>	shall comply with the requirements of the Facilities Standards
17				
18			Manu	ai.
19		(T)	ъ.	serve as frontage in lieu of public road
20		(B)		te access easements may serve as frontage in lieu of public road
21			fronta	age for up to 25 lots per easement.
22		( em)	7771	1 . C. 1 1' ' thell contain a note detailing the provisions
23		(C)	The	plat of subdivision shall contain a note detailing the provisions
24			regard	ding the maintenance of the private access easement.
25				
21 22 23 24 25 26 27 28	2-161	<u>Hon</u>	neown	er's Association.
۷) 28		(A)	If the	subdivision contains any of the common improvements listed below,
29		(, ,)	the d	evelopment shall have an incorporated Homeowners' Association
30			("HO	A"). The HOA shall have the right and responsibility to maintain
31				ollowing areas or improvements:
<i>)</i> 1			tile ic	nio mile ulous or mileto o
32			(1)	Common open space areas within the development that are not part
33				of an individual lot;
34				
35			(2)	Lot(s), if owned by the HOA;
36			(-)	
37			(3)	Private roads, if any, within or serving the development, except as
38 38			(5)	provided in Section 2-161(C);
39				DIOVIDOR IN DOCTOR - 10-7-7-7-1
			(4)	Communal water and/or sewage disposal systems, except at
40			(+)	provided in Section 2-161(D);
41				provided in Section 2 To (15).
42			(5)	Any stormwater management facilities or areas;
43			(5)	Any stormwater management ractities of areas,
44			(6)	Fire protection pond(s), dry mains, or other improvements;
45			(6)	rue protection pond(s), dry mains, or other improvements.
46				

1 2		(7)	Such other common facilities or improvements as may be designated in the bylaws of the HOA.
3 4 5	(B)	Memb subdiv	vership in the HOA shall be required for all purchasers of lots in the vision and their successors in title.
6 7 8 9 10 11	(C)	commo mainta mainte private	thstanding the requirements of Section 2-161(A) above, if the only on element is private roads or easements, then they shall either be nined by an HOA or shall be maintained pursuant to a private road enance agreement. If such roads are to be maintained pursuant to a eroad maintenance agreement, then the terms thereof shall be included the record plat of subdivision for the development.
13 14 15 16 17	(D)	water public	thstanding the requirements of Section 2-161(A) above, communal supply or sewage disposal systems may be maintained by LCSA or a water or sewer (wastewater) utility as defined in Chapter 10.1 or f Title 56 of the Code of Virginia.
18 19 20 21 22	(E)	purpos Such	tion of the Common Open Space may be conveyed to LCSA for the se of maintaining a communal water and/or sewage disposal system. Common Open Space, although not in the ownership of the HOA, e used to satisfy the requirements of Section 2-153(G).
23	(F)	Prior t	to approval of a record plat of subdivision for the cluster:
24 25 26 27 28 29 30		(1)	If a Homeowner's Association is to be established, the landowner shall submit documents for the creation of the HOA to the County for review and approval, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common areas, including a legal description of such areas and a description of restrictions placed upon the use and enjoyment of the land;
31 32 33		(2)	If a communal water and/or sewage disposal system is to be maintained by a third-party, a minimum two year maintenance contract is to be submitted for review and approval by the County.
34 35 36 37		(3)	If the subdivision is served by private roads and there is no Homeowners' Association for the subdivision, the developer shall submit a private road maintenance agreement to the County for review and approval.
38 39 <b>2-10</b> 40 41 42 43	autho oper	orized p	Protection by Right to Farm Act. Record plats and deeds ursuant to this section shall include a statement that agricultural agricultural to the protection of the Right to Farm Act (Va. Code Section 3.1-

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Section	2-250	RR-2 Rural Residential District - 2
2-251	predon yield the access is com foresta uses; a rural e	se. This district is established to provide for residential development in a minantly rural environment in areas currently zoned AR-2. A greater lot han permitted in the AR-2 district may be achieved where appropriate road is available for the scale of development; where the proposed development apatible with other properties in the vicinity, including agricultural and all districts, open space easements, predominant parcel sizes and adjacent and where water and onsite sewage disposal systems are feasible. Limited economy uses are encouraged that are compatible with clustered residential opment. A cluster subdivision pattern is required.
2-252	Gener set for Distric	rth the general and specific standards for development under the RR-2 ct.
	(A)	General:
		40 antiques cores prior
		(1) The tract shall consist of a minimum of 30 contiguous acres prior to development.
		(2) Rezoning requests shall be processed pursuant to the requirements of Section 6-1200. Rezoning requests for tracts smaller than 140 acres shall be processed in accordance with Section 6-1200 as
		modified by Section 6-1216.
		(3) The residential development on this site shall be clustered according to the provisions of this Section.
	(B)	Lot Yield. The maximum number of lots shall be one lot per 15 gross acres.
2.252	<b>C</b> 1	acteristics of Cluster Subdivision.
2-253	(A)	The elements of the cluster subdivision are:
	(2 1)	(1) Rural Residential Lots,
		(2) Rural Economy Lot(s)
		(3) <u>Common Open Space.</u>
	(B)	Depending on the tract size, the cluster subdivision shall include one or
		more Rural Residential Lots and at least one Rural Economy Lot and may
		include common open space.
	(C)	All lots within the cluster development shall be created at one time.
	(D)	The lots created by the cluster subdivision shall not be further subdivided.
	(D)	The lots elemen by the elaster succession share the same s

1		(E)	The	eite las	yout of these elements shall occur during the approval of a	
1 2		(E)	rezoi		your of these elements said to the	
3			-			
4		(F)	$\underline{A}$ $\underline{H}$	IOA is	required for any subdivision with common elements as	
5			desc	ribed ir	Section 2-261(B).	
6					s gog s s l l l of the development shall be	
7		(G)	A m	unimun	of 70% of the gross land area of the development shall be of Rural Economy Lot(s) and, if present, Common Open	
8					efined in Section 2-254(C).	
9			Spac	æ, as u	ermed in Section 2-234(C).	
10 11		(H)	The	rezoni	ng plats for the development shall contain a tabulation of	
12		(11)	dens			
13			COLIN	, <u>, , , , , , , , , , , , , , , , , , </u>		
14		(I)	The	prelim	inary and record plat shall show the perimeter setback as	
15		()			Section 2-255(A)(2).	
16						
17		<b>(J)</b>	Vari	iation c	of Lot Sizes: In all new residential subdivisions containing	
18			seve	en (7) c	or more lots, a mixture of lot sizes and dimensions shall be	
19			prov	<u>/ided_i</u>	n order for a variety of housing opportunities and avoid	
20			mor	<u>iotonot</u>	otal area. For purposes of this subsection, "similar" lot areas	
21			<u>simi</u>	ilar in t	fined as within 1,500 square feet of each other	
21 22 23 24			snai	i de de	fined as within 1,500 square feet of each other	
23						
24	2.254	Stand	larde	Devel	topment of the Rural Residential Lots, the Rural Economy	
	2-254	Stand Lot(s)	lards.	Devel	opment of the Rural Residential Lots, the Rural Economy n Open Space shall comply with the following standards.	
25	2-254	Lot(s)	), and C	Commo	n Open Space shall comply with the following standards.	
25 26	2-254	Lot(s) (A)	), and C Rural	Commo Reside	n Open Space shall comply with the following standards.  ential Lots. Rural Residential lots shall be grouped in clusters	
25	2-254	Lot(s) (A)	), and C Rural	Commo Reside	n Open Space shall comply with the following standards.	
25 26 27	2-254	Lot(s) (A)	), and C Rural	Reside	n Open Space shall comply with the following standards.  ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:	
25 26 27 28	2-254	Lot(s) (A)	), and C Rural	Reside all com	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise	
25 26 27 28 29 30 31	2-254	Lot(s) (A)	), and C Rural and sha	Reside all com	n Open Space shall comply with the following standards.  ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:	
25 26 27 28 29 30 31 32	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com Maxin a max	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,	
25 26 27 28 29 30 31 32 33	2-254	Lot(s) (A)	), and C Rural and sha	Reside all com  Maxii a max	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be	
25 26 27 28 29 30 31 32 33 34	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxima max  Numb group	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a	
25 26 27 28 29 30 31 32 33 34 35	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxin a max  Numl group maxin	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a mum of 25 lots, except that a cluster may consist of fewer than	
25 26 27 28 29 30 31 32 33 34 35 36	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxin a max  Numl group maxin	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a	
25 26 27 28 29 30 31 32 33 34 35 36 37	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxin a max  Numl group maxin 5 lots	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a mum of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:	
25 26 27 28 29 30 31 32 33 34 35 36 37 38	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxin a max  Numb group maxin 5 lots  (a)	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a mum of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:  There will be fewer than 5 lots in the entire subdivision.	
25 26 27 28 29 30 31 32 33 34 35 36 37 38	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxima max  Numb group maxim 5 lots  (a) (b)	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a mum of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:  There will be fewer than 5 lots in the entire subdivision.  The area of the subdivision is less than 75 acres.	
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxin a max  Numb group maxin 5 lots  (a)	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a mum of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:  There will be fewer than 5 lots in the entire subdivision.  The area of the subdivision is less than 75 acres.  It is demonstrated that a cluster of fewer than 5 lots will	
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxima max  Numb group maxim 5 lots  (a) (b)	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development.  Der of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a mum of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:  There will be fewer than 5 lots in the entire subdivision.  The area of the subdivision is less than 75 acres.  It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside	
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxima max  Numb group maxim 5 lots  (a) (b)	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a num of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:  There will be fewer than 5 lots in the entire subdivision.  The area of the subdivision is less than 75 acres.  It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain	
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxima max  Numb group maxim 5 lots  (a) (b)	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a mum of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:  There will be fewer than 5 lots in the entire subdivision.  The area of the subdivision is less than 75 acres.  It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain Overlay District (FOD) lands, and/or land containing steep	
25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42	2-254	Lot(s) (A)	Nand Control Rural and shape (1)	Reside all com  Maxima max  Numb group maxim 5 lots  (a) (b)	ential Lots. Rural Residential lots shall be grouped in clusters ply with all of the following standards:  mum Gross Land Area. Rural Residential Lots may comprise imum of 15% of the gross land area of the development,  per of Lots in Cluster(s). Rural Residential Lots shall be ed in clusters consisting of a minimum of 5 lots and a num of 25 lots, except that a cluster may consist of fewer than if any one of the following applies:  There will be fewer than 5 lots in the entire subdivision.  The area of the subdivision is less than 75 acres.  It is demonstrated that a cluster of fewer than 5 lots will result in less disturbance of land within the Mountainside Development Overlay District (MDOD), Floodplain	

1	(3)	Number of Clusters. Multiple groupings of cluster lots are
2		required where the total number of lots on a site is greater than 25.
3		A single grouping of cluster lots shall contain all the lots where the
4		total number of lots on a site is 25 or fewer, except that multiple
5		clusters may be allowed where it is demonstrated that multiple
6		clusters will result in less disturbance of land within the
7		Mountainside Development Overlay District (MDOD), Floodplain
8		Overlay District (FOD) lands, and/or land containing steep slopes
9		and/or wetlands.
10		
11	(4)	Distance Between Clusters. If more than one grouping of cluster
12		lots is to be created from a parcel, a minimum of 500 feet shall
13		separate the lot lines of each grouping of cluster lots (exclusive of
14		common open space and Rural Economy Lots).
15		
16	(5)	Minimum Lot Size.
17	(5)	
18		(a) On-site Water and Wastewater. 40,000 sq. ft., exclusive of
19		major flood plain.
20		(b) Off-site Wastewater, On-site Water. 20,000 sq. ft.,
∠1 ЭЭ		exclusive of major floodplain.
22 22		CACITOTA OF THE OFFI
21 22 23 24		(c) Off-site Water and Off-Site Wastewater. No minimum lot
		size.
25		<u>812.C.</u>
26	(6)	Maximum Lot Size. 4 acres, exclusive of major flood plain.
27	(6)	Waximum Lot Size. 4 deres, exercisive of major rives printer
28	(7)	Maximum Lot Coverage:
29	(7)	Maximum Lot Coverage.
30		(a) Lots less than 40,000 sq. ft.: 8%.
31		4.50
32		(b) <u>Lots 40,000 sq. ft. – 4 acres: 15%.</u>
33	(0)	Permitted Uses on Rural Residential Lots. The uses allowed on
34	(8)	the Rural Residential Lots are listed below and are subject to the
35		the Rural Residential Lots are fisted below and are subject to the
36		Additional Regulations for Specific Uses in Section 5-600 as
37		referenced.
38		1 11' ( and a simple family datached
39		(A) Accessory dwelling (accessory to single-family detached
40		dwelling), pursuant to Section 5-613.
41		
42		(B) Accessory uses, such as garages, sheds, decks, clotheslines,
43		swimming pools, and other residential accessory uses and
44		structures customarily found in association with and clearly
45		incidental and subordinate in size to the principal residential
46		structure and use.

1 2 3			(C)	Agriculture, horticulture, animal husbandry, including bona fide agricultural structures, pursuant to Section 5-626.
4 5			(D)	Bed and breakfast, pursuant to Section 5-601(A).
6 7			(E)	Child care home, pursuant to Section 5-609.
8 9 10			(F)	Construction and/or sales trailer, during period of construction activity.
11 12 13			(G)	Dwelling, single-family detached, including manufactured housing.
14 15 16			(H)	Home occupation (accessory to single-family detached dwelling), pursuant to Section 5-400.
17 18 19			(I)	Portable dwelling/trailer during construction of a primary residence, pursuant to Section 5-500.
20 21 22			(J)	Small business (excluding Repair service occupations and Contractors and contracting) pursuant to Section 5-614.
23 24			(K)	Stables, pursuant to Section 5-627.
25 26 27 28			(L)	Stables, without commercial boarding or equestrian instruction, on less than 5 acres, accessory to a single-family residence.
29 30			(M)	Telecommunications antenna, pursuant to Section 5-618(A).
31 32			(N)	Utility substation, dedicated, pursuant to Section 5-616.
33 34 35	(B)	Rural Rural	Econo	omy Lots. Each cluster subdivision shall contain at least one my Lot meeting the following regulations:
36		(1)	Mini	mum Lot Size. 25 acres.
37 38		(2)	Mini	mum Lot Width. 175 feet.
39				
40 41		(3)		imum Length/Width Ratio. 3:1.
42 43		(4)	Max	imum Lot Coverage. 8%.
44 45 46		(5)	Rura Addi	l Economy Lot(s) are listed below and are subject to the tional Regulations for Specific Uses in Section 5-600 as
47			retere	enced AS

1 2	(a)	Apartment or dwelling unit (accessory to a single family
3	. ,	detached dwelling), pursuant to Section 5-613.
4 5	(b)	Accessory uses, such as garages, sheds, decks, clotheslines,
6		swimming pools and other residential accessory uses and
7		structures customarily found in association with and clearly incidental and subordinate in use to a single family residential
8 9		structure and use.
10		Structure and use.
	(c)	Agriculture, horticulture, animal husbandry including bona
12		fide agricultural structures, pursuant to Section 5-626.
13		0 4 5 601
14	(d)	Animal hospital, pursuant to Section 5-631.
15	(a)	Antique shop, pursuant to Section 5-650.
16 17	(e)	Antique snop, pursuant to Section 3-030.
18	(f)	Art gallery or art studio, pursuant to Section 5-650.
19	(*)	
20	(g)	Bed and breakfast, pursuant to Section 5-601(A).
21		
22	(h)	Child care home, pursuant to Section 5-609.
23		
24	(i)	Child or adult daycare center, pursuant to Section 5-609.
25	/*\	Construction and/or sales trailer, during period of
26	(j)	Construction and/or sales trailer, during period of construction activity.
27 28		construction activity.
29	(k)	Craft shop, pursuant to Section 5-650.
30	(11)	
31	(l)	Equestrian Facility, pursuant to 5-627.
32	, ,	
33	(m)	Home occupation, pursuant to Section 5-400.
34		
35	(n)	Nature preserve, such as but not limited to, wildlife
36		sanctuary, conservation area, and game preserve.
37	(-)	Portable dwelling/trailer during construction of a primary
38	(0)	residence, pursuant to Section 5-500.
39 40		residence, pursuant to bection 3 300.
41	(p)	Production nursery, pursuant to Section 5-605.
42	\ <b>r</b> )	
43	(q)	School, 15 pupils or fewer.
44		
45	(r)	Single family dwelling, including manufactured housing, in
46		association with a permitted use.

1 2 3		(s)	Small business, excluding Repair Service occupations and Contractors and contracting, pursuant to Section 5-614.
4			
5		(t)	<u>Telecommunications antenna, pursuant to Section 5-618(A).</u>
6 7		(u)	Utility substation, dedicated, pursuant to Section 5-616
8 9		(v)	Veterinary service.
10		( )	
11		(w)	Virginia Farm Winery.
12 13		(x)	Wayside stand.
14			
15	(6)		or Special Exception Uses on Rural Economy Lot. The
16 17		tollov	wing uses are permitted on a Rural Economy Lot with the oval of a Minor Special Exception pursuant to Section 6-1300
17		аррис	oval of a Minor Special Exception pursuant to Section's 1300
18		(a)	Bed and Breakfast with Banquet Facilities, pursuant to
19 20		(a)	Section 5-601(A) and Section 5-642.
20 21			
21 22	(7)	Spec	ial Exception Uses on Rural Economy Lot. The following
23	(,)	uses	are permitted on a Rural Economy Lot with the approval of a
24			ial Exception pursuant to Section 6-1300.
25			
26		(a)	Golf course, with accessory clubhouse, pursuant to Section 5-
27			<u>648.</u>
28			
29		(b)	Telecommunications monopole, pursuant to Section 5-
30			618(B)(1) and Section 5-618(B)(2).
31			- 4 Continue 5 (19(C)(2)
32		(c)	<u>Telecommunications tower pursuant to Section 5-618(C)(2).</u>
33		^	Conso Lies I and that is neither a Purel Residential Lot nor
34	(C) Comm	ion Up	pen Space Use. Land that is neither a Rural Residential Lot nor nomy Lot and is not a road right-of-way shall be placed in
35	a Kura	II ECOI	a space and shall be maintained by a Homeowner's Association
36			
37	as desc	ribeu i	n Section 2-262.
38	(1)	Down	itted Uses on Common Open Space. Uses allowed on the
39	(1)	Com	mon Open Space land are listed below and are subject to the
40		\(\Delta ddit\)	ional Regulations for Specific Uses in Section 5-600 as
41		refere	
42		rerere	area.
43		(a)	Agriculture, horticulture, animal husbandry including bona
44 45		(4)	fide agricultural structures, pursuant to Section 5-626.
45			1100 mail on the state of property of the state of the st
40			



1 2			(b)	Construction and/or sales trailer, during period of construction activity.
3 4 5			(c)	Easements and improvements for drainage, access, sewer or water lines, or other public purposes.
6 7 8			(d)	Passive open space or passive recreation, including but not limited to trails, picnic areas, community gardens.
9 10			(e)	Sewage disposal system, communal.
11 12			(f)	Sewer pumping station.
13 14			(g)	Stables, pursuant to Section 5-627.
15 16 17 18			(h)	Stormwater management facilities for the proposed development or for a larger area in compliance with a watershed stormwater management plan.
19 20			(i)	Utility transmission lines, overhead.
21 22			(j)	Utility substation, distribution, pursuant to Section 5-616.
23 24			(k)	Utility substation, transmission, pursuant to 5-616.
25 26			(l)	Water pumping station.
27 28 29			(m)	Water supply system, communal.
30 31 32		(2)	uses a	al Exception Uses on Common Open Space. The following are permitted with the approval of a Special Exception on non Open Space pursuant to Section 6-1300.
33 34 35			(a)	Active recreation space, including golf course, with accessory clubhouse, pursuant to Section 5-648.
36 37 38			(b)	Water storage tank, by Special Exception, pursuant to Section 5-621.
39 40 41 42			(c)	Water treatment plant, by Special Exception, pursuant to Section 5-621.
43	2-255	Setbacks a	nd Yaro	<u>ls.</u>
44 45		(A) <u>Se</u>	tback.	
46 47		(1)	No	structure shall be located within one hundred (100) feet from

1 2 3 4 5			the right of way of any arterial road; seventy five (75) feet from the right-of-way of any collector road; or thirty five (35) feet from any other road right of way, private access easement, and/or prescriptive easement.			
6 7 8 9	,		(2) Perimeter Setback. Residential dwellings within the subdivision, including Rural Economy Lot(s), shall be setback a minimum of 100 feet from any lot line adjoining parcels not located within the cluster subdivision.			
		(B)	Yards.			
13			(1) Front. 35 feet minimum			
15 15			(2) Side. 15 feet minimum.			
11 12 13 14 15 16 17			(3) Rear. 35 feet minimum.			
10 19 20	2-256	Buildir	ing Requirements.			
19 20 21 22 23		(A)	Building Height. Thirty five (35) feet maximum, excluding agricultural structures.			
24	2-257	<u>Utility</u>	y Requirements.			
25 26		(A)	Water. All lots shall be served by either:			
27			(1) Individual water supply system, located on the lot served, or			
28 29 30			(2) <u>Communal water system, located within Common Open Space, with maintenance to be provided pursuant to Section 2-258</u>			
30 31		(B)	Sewer. All lots shall be served by either:			
32 33 34 35 36			(1) Individual sewage disposal systems, located on the lot served or in Common Open Space. A maximum of seventy percent (70%) of the lots may have primary and/or reserve septic fields within Common Open Space. The record plat shall identify the location of all septic fields and shall assign them to lots, or			
37 38 39 40			(2) <u>Communal sewage disposal system located within Common Open Space with maintenance to be provided pursuant to Section 2-258.</u>			
41	2-258	Maint	ntenance of Water and/or Sewage Disposal Systems.			
42 43 44		(A)	Individual Systems. Maintenance of Individual Water and Individual Sewage Disposal Systems shall be the responsibility of the owner of the lot the system serves.			
45 46 47 48 49		(B)	Communal. If the development is served by a communal water and/or sewage disposal system, such systems shall be operated and maintained by LCSA, in accord with all LCSA adopted policies. If LCSA policies preclude maintenance by LCSA, then the HOA shall contract with a			

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1 2 3 4 5 6	public water or sewer (wastewater) utility as defined in Chapter 10.1 or 10.2 of Title 56 of the Code of Virginia. An access easement shall be provided for the entity maintaining the system. All costs of operation and maintenance of such communal systems shall be borne as a common expense by the owners of the lots served							
7								
10 11 12 13	2-260	Lot (A)	Access to individual lots may be provided by private access easeme which shall comply with the requirements of the Facilities Standard Manual.	<u>nt</u> ds				
14 15 16		(B)	Private access easements may serve as frontage in lieu of public ros frontage for up to 25 lots per easement.	<u>ad</u>				
17 18 19 20		(C)	The plat of subdivision shall contain a note detailing the provision regarding the maintenance of the private access easement.	<u>ns</u>				
	2-261	Hon	eowner's Association.					
21 22 23 24 25 26		( <u>A</u> )	If the subdivision contains any of the common improvements listed belothe development shall have an incorporated Homeowners' Association ("HOA"). The HOA shall have the right and responsibility to maintain the following areas or improvements:	<u>on</u>				
27 28			(1) Common areas within the development that are not part of individual lot;	<u>an</u>				
29 30 31			(2) <u>Lot(s), if owned by the HOA;</u>					
32 33 34			(3) Private roads, if any, within or serving the development, except provided in Section 2-261(C);	as				
35 36			(4) Communal water and/or sewage disposal systems, except provided in Section 2-161(D);	<u>as</u>				
37 38 39			(5) Any stormwater management facilities or areas:					
40 41			(6) <u>Fire protection pond(s), dry mains, or other improvements;</u>					
42 43 44			(7) Such other common facilities or improvements as may designated in the bylaws of the HOA.	<u>be</u>				
44 45 46 47		(B)	Membership in the HOA shall be required for all purchasers of lots ther and their successors in title.	rein AGZ				

1 2 3 4 5 6 7		(C)	commo maintai mainter private	instanding the requirements of Section 2-261(A) above, if the only on element is private roads or easements, then they shall either be need by an HOA or shall be maintained pursuant to a private road mance agreement. If such roads are to be maintained pursuant to a road maintenance agreement, then the terms thereof shall be included a record plat of subdivision for the development.
8 9 10 11 12		(D)	water s	hstanding the requirements of Section 2-261(A) above, communal upply or sewage disposal systems may be maintained by LCSA or a water or sewer (wastewater) utility as defined in Chapter 10.1 or Title 56 of the Code of Virginia.
13 14 15 16		(E)	purpose Such C	ion of the Common Open Space may be conveyed to LCSA for the e of maintaining a communal water and/or sewage disposal system. Common Open Space, although not in the ownership of the HOA, e used to satisfy the requirements of Section 2-253(G).
17		(F)	Prior to	approval of a record plat of subdivision for the cluster:
18 19 20 21 22 23 24			(1)	If a Homeowner's Association is to be established, the landowner shall submit documents for the creation of the HOA to the County for review and approval, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common areas, including a legal description of such areas and a description of restrictions placed upon the use and enjoyment of the land;
25 26 27			(2)	If a communal water and/or sewage disposal system is to be maintained by a third party, a minimum two year maintenance contract is to be submitted for review and approval by the County.
28 29 30 31 32			(3)	If the subdivision is served by private roads and there is no Homeowners' Association for the subdivision, the developer shall submit a private road maintenance agreement to the County for review and approval.
33	2-262	Recog	nizing ]	Protection by Right to Farm Act. Record plats and deeds
34	_	author	ized pu	rsuant to this section shall include a statement that agricultural
35		operat	<u>ions enj</u>	oy the protection of the Right to Farm Act (Va. Code Section 3.1-
36		22.28	et seq.).	
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